

THE MADRAS LEGISLATIVE COUNCIL.

Monday, the 24th August 1925.

The House met at 11 o'clock, Rai Bahadur T. M. NARASIMHACHARLU, Chairman, in the chair.

I

QUESTIONS AND ANSWERS.

[Order made by the President of the Madras Legislative Council under Standing Order No. 15 on the 4th December 1924—

1. Starred questions to be put at a meeting of the Council with their answers shall be printed and placed on the Council table an hour before the President takes his seat.

The Secretary shall call out the name of each interpellator in the order in which the names are printed, specify the serial number of his question and make a sufficient pause to give him or any other member a reasonable opportunity of rising in his place and putting a supplementary question. Supplementary questions must be put immediately after the principal questions to which they relate.

2. If a member responsible for a starred question happens to be absent when it is called, it will be open either to him or to any other member to put supplemental questions thereon after the other starred questions for the day have been answered, provided question-time is not thereby exceeded.

3. Questions, not starred, will not be called in Council, but they will be printed with their answers and placed on the table of the House along with the list of starred questions. Oral supplementary questions will not be allowed in regard to unstarred questions.]

STARRED QUESTIONS.

Depressed Classes.

The Government Order regarding the Kalpathi agraharam.

* 330 Q.—Mr. R. VEERIAN: Will the hon. the Law Member and the hon. the Member for Revenue be pleased to state—

(a) whether the Government Order issued between the 8th and 14th January 1925 regarding the Kalpathi agraharam in particular and other public roads and pathways in general is still in force or the same has already been withdrawn;

(b) if not withdrawn already, to place a copy of the Government Order on the Council table; and

(c) whether the Government had already received copies of resolutions submitted by the Adi-Dravida conferences held at Vaniyambadi, Ambur, Tiruppattur, Salem, Ootacamund and Coimbatore between January and April 1925 praying to cancel or withdraw the Government Order passed?

A.—(a) G.O. No. 37, Public, dated the 9th January 1925, has not been withdrawn.

(b) The Government Order has already been placed on the Editors' Table.

(c) Resolutions passed at most of the places mentioned have been received.

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Mr. R. VEERIAN :—“ In answer to clause (a) we find that ‘ G.O. No. 37, Public, dated the 9th January 1925, has not been withdrawn.’ Sir, we find that this Government Order states ‘ the Government have no power of interference unless the agraphams are connected with business centres. The members of the depressed classes have no free access to the post offices located in agraphams.’ Well, Sir, though the agraphams are connected with business centres or with a post office and if the members of the depressed classes wish to have free access to the post office with a view to transact postal business, they are actually prevented from entering the agraphams. I want to know the reasons why they are prevented.”

The hon. Sir C. P. RAMASWAMI AYYAR :—“ I was not aware of this until the hon. Member made himself responsible for the statement that members of the depressed classes are prevented from going to the post office. I was under the impression that a post office was a place of business so that the Government Order quoted by the hon. Member would technically apply to cases which he has been complaining of. If the hon. Member would make himself responsible for a contrary statement and specify the cases where such interference took place, the Government would inquire into the matter.”

Mr. R. VEERIAN :—“ May I point out that very recently in a village called Kethandapatti near Jolarpet, the members of the depressed classes were prevented from going to the post office through the agrapham ? ”

Rai Bahadur T. M. NARASIMHACHARI (from the chair) :—“ The instance which you refer to does not apply to the question set down on the agenda paper.”

Mr. R. VEERIAN :—“ As the hon. the Law Member asked me to specify the case where such interference was caused, I pointed out that instance.”

The hon. Sir C. P. RAMASWAMI AYYAR :—“ If the hon. Member writes to me how the members of the depressed classes were interfered with or invite my attention to anything that has happened, I shall cause inquiries to be made.”

Mr. R. VEERIAN :—“ Thank you, Sir.”

Irrigation.

Alleged cancellation of water-supply for inam dry lands by the Collector of Madura.

* 331 Q.—Mr. A. CHIDAMBARA NADAR: Will the hon. the Law Member and the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that the Collector of Madura has issued a notification in the *Madura District Gazette Extraordinary*, dated 13th February 1924, cancelling the permanent supply of water for inam dry lands from the close of fasli 1333;

(b) if so, the reason for the same; and

(c) whether it is a fact that the Collector insists on every person irrigating or possessing landed interest in a certain land to obtain fresh permission in his name on pain of penalty in spite of the fact that the land was already given permanent supply and was included under a well-defined ayacut or a sluice in the channel?

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- A.—(a) The notification issued states that all permits in which fields are described by the old survey numbers are cancelled.
- (b) This was necessary because the fields could not be identified by those numbers and it was necessary to ascertain in all cases the new survey numbers.
- (c) Landholders have been directed to put in fresh applications with the correct numbers by the new survey. Permits will issue on receipt of these applications. But those who fail to comply with the directions will be liable to penalty.

Mr. A. CHIDAMBARA NADAR :—“ Sir, with regard to the question asked in clause (c), namely, ‘ whether it is a fact that Collector insists on every person irrigating or possessing landed interest in a certain land to obtain fresh permission in his name on pain of penalty in spite of the fact that the land was already given permanent supply and was included under a well-defined ayacut or a sluice in the channel ’, a different answer has been given. So I want a direct answer to my question as to whether persons irrigating or possessing some interest in land are asked to obtain fresh permission in their name.”

The hon. Mr. N. E. MARJORIBANKS :—“ I have no further answer to give than that which appears on the paper.”

332 Q.—Cancelled.

Land Revenue.

Assignment of poramboke lands to depressed classes in Kamalapuram.

* 333 Q.—Mr. R. VEERIAN : Will the hon. the Member for Revenue and the hon. the Home Member be pleased to state—

(a) how many acres of Government poramboke land in Kamalapuram have already been assigned to the members of the depressed classes as well as to the members of the caste Hindus of the said Kamalapuram village near Omalur, Salem district, for cultivation and house-sites respectively ; and

(b) how many acres of land are still left in the village for assignment for house-sites and for cultivation ?

A.—(a) & (b) The Government have not the information nor is the question quite understood. It is not usual to assign poramboke land for cultivation to anybody. If the hon. Member will explain more clearly what the information is that he seeks, there will probably be no difficulty in obtaining it for him.

Mr. R. VEERIAN :—“ My question is why non-depressed classes are treated more liberally in the matter of assignment of poramboke lands than the members of the depressed classes, who do not possess a single cent of poramboke land, whereas non-depressed classes possess patta lands.”

The hon. Mr. N. E. MARJORIBANKS :—“ I am not aware that that is so.”

Mr. R. VEERIAN :—“ In that case, will the hon. Member be pleased to call for the information ?”

The hon. Mr. N. E. MARJORIBANKS :—“ If the complaint is regarding assignments for house-sites, I shall be glad to do so.”

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At this stage the hon. the Deputy President took the chair.

Mr. M. RATNASWAMI:—"Sir, there is a mistake with regard to the numbering of questions. We find that question No. 332 has been pasted over."

The hon. the DEPUTY PRESIDENT:—"A revised answer will be pasted over afterwards"

Remission of land revenue in Neelamangalam village.

* 334 Q.—Mr. R. SRINIVASA AYYANGAR: With reference to the answer given on 4th March 1925 to my question No. 344 regarding remission of land revenue in Neelamangalam village, Kallakkurichchi taluk, South Arcot district, will the hon. the Member for Revenue be pleased to call for the information in respect of clauses (b) to (h) thereof?

A.—The answers to clauses (b) to (h) of question No. 344 asked at the last March meeting are given below:—

- (b) The proximity of the Kiranur anicut to the Neelamangalam anicut does affect the supply to the latter. It is not known which was first constructed.
- (c) Yes.
- (d) Four applications covering an amount of Rs. 81-11-0.
- (e) No remission was granted.
- (f) Rupees 968-14-0 recommended both by the Revenue Inspector and the Tahsildar.
- (g) Rupees 519-10-7.
- (h) Of the amount stated in clause (g), Rs. 476 was collected after land was attached but before it was notified for sale. An extent of 7.24 acres (4.15 dry and 3.09 wet) was notified for sale for the arrears of Rs. 43-10-7. Of this, a sum of Rs. 36-0-1 was paid by the parties concerned after the sale had taken place but before it was confirmed. A plot of 4.15 acres of dry land was sold in respect of the remaining sum due, namely, Rs. 7-10-6. But the sale has not yet been confirmed.

Survey and Settlement.

Resurvey of South Kanara district

* 335 Q.—Mr. J. A. SALDANHA: With reference to G.O. No. 584, dated 22nd April 1925, on the subject of the Land Records Department, will the hon. the Member for Revenue be pleased to refer to the last sentence in paragraph 8 of the order and to state—

(a) what justification there is for the resurvey of the district by a special survey establishment;

(b) (i) what is the establishment employed for the resurvey of South Kanara district and (ii) what is the annual cost;

(c) what will be the probable approximate cost of the resurvey of the whole district;

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(d) whether it is a fact that the last survey was done perfunctorily in many cases and that the present survey is undertaken in order to correct the errors of the last survey and not the changes which have been duly recorded by the Land Records Department; and

(e) whether there is sufficient justification for throwing the cost wholly or partly on the ryots of the district?

A.—(a) The resurvey of the whole district has not been ordered. A cadastral resurvey of the old Kasaragod taluk excepting the Kumari villages is in progress. This has been ordered because (1) a large number of stones are missing, (2) there are no plottable records of measurement for a large number of fields, and it is therefore impracticable to map therein new subdivisions. The Government Order referred to by the hon. Member does not constitute a land records department but provides Collectors with an inspecting agency to enable them to see that the land revenue staff is properly trained in survey and carries out the revenue rules regarding the making and record of changes.

(b) (i) The establishment now employed in the field is—

Sub-Assistants	...	...	4
Head surveyors	...	...	4
Deputy surveyors	...	...	62
Field surveyors	...	...	160

(ii) Including the pay of officers, clerks, draughtsmen and incidentals but excluding the cost of boundary pillars and hired labour, the annual cost of the survey party will be about Rs. 1,60,000.

(c) The approximate cost of a cadastral resurvey of the whole district cannot be accurately estimated. A great deal of it is hill and jungle where a cadastral survey will not be made. It has not yet been decided whether a cadastral resurvey elsewhere than in the tract specified in clause (a) will be necessary.

(d) No; but the last survey was made on a method which makes it difficult to record changes and the resurvey now being made in Kasaragod taluk will remedy this defect and provide every registered holder of land with a proper record of measurement of his holding.

(e) The hon. Member is referred to section 8 of the Act, Madras Survey and Boundaries Act VIII of 1923. The whole cost of the survey is in no case thrown on the ryots.

Village Establishments.

Number of vettians, etc., dismissed from service.

* 336 Q.—Mr. R. VEERIAN: Will the hon. the Member for Revenue be pleased to state—

(a) how many vettians and talaiyaris were dismissed or stopped from their services since 1924 together with their names, village and district to which they belong separately; and

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(b) what are the reasons for so doing and the number of years' service they had put in?

A.—(a) & (b) The Government have not the information required.

Mr. R. VEERIAN :—“ With reference to the answer given in clauses (a) and (b), it was brought to my notice that in several districts where the vettians and talaiyaris who were very loyal to the Government and who put in service for a very long time were dismissed. I therefore wish to know whether at least, on hearing this representation, the Government will be pleased to call for the information. I have no objection to give particular instances.”

The hon. Mr. N. E. MARJORIBANKS :—“ If the hon. Member gives me the names of the districts where the vettians and talaiyaris were dismissed, I shall be glad to get the information for him. I suppose he wishes the information for the current year. He says ‘since 1924’, which means for the current year.”

Mr. R. VEERIAN :—“ Yes : Salem, Coimbatore and Madura districts.”

Arms and Explosives.

Guns in Gudem taluk.

* 337 Q.—Rao Bahadur C. V. S. NARASIMHA RAJU : Will the hon. the Home Member be pleased to state—

(a) whether it is a fact that all the guns in the Gudem taluk of the Vizagapatam Agency were taken away by the Government ;

(b) what is the object aimed at in so doing ;

(c) what is the authority under which the guns were taken away and the number of guns taken away ; and

(d) what are the principles on which the Government grant permission to the hill people to possess guns ?

A.—(a), (b) & (c) The Government have no information.

(d) The hon. Member is referred to item (1) in Schedule IV of the Indian Arms Rules, 1924, by virtue of which the Agency tracts in this Presidency have been withdrawn from the prohibitions and directions contained in the Indian Arms Act, except those contained in sections 12 and 25, in respect of all arms other than cannon and breech-loading arms.

Rao Bahadur C. V. S. NARASIMHA RAJU :—“ With reference to the answer given to clauses (a), (b) and (c), will the Government be pleased to call for the information as to whether the guns were taken away from the hill men ?”

The hon. Mr. N. E. MARJORIBANKS :—“ I regret I was not aware that this question was appearing in the agenda paper to-day. I shall be glad to call for the information.”

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Depressed Classes.

The amelioration of the depressed classes.

* 338 Q.—Mr. R. VEERIAN: Will the hon. the Home Member be pleased to state—

(a) whether any amount has been given or set apart out of the recent remission of about 126 lakhs of rupees from the Government of India for the amelioration of the depressed classes; and

(b) all the schemes that are before the Government or before the Commissioner of Labour for the amelioration of the depressed classes?

A.—(a) The answer is in the negative.

(b) The hon. Member is referred to G.O. No. 3348, dated the 27th April 1924, which has been placed on the Editors' Table for an account of the measures taken for the amelioration of the condition of the depressed classes. These measures are continued in the current year.

Mr. R. VEERIAN:—"With reference to the answer given in clause (a), I wish to know why the Government have not set apart at least a certain percentage for the amelioration of the depressed classes out of the total remission of 126 lakhs of rupees."

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"I am unable to give any reason."

Mr. M. RATNASWAMI:—"May I ask whether the hon. Minister is going to absorb all the remitted amount or whether any special provision is going to be made for the amelioration of the depressed classes?"

Mr. R. VEERIAN:—"May I know whether any schemes were prepared and put before the Cabinet?"

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"I am sorry I am unable to say what has happened in the Cabinet."

Forests.

The accounts of the Russellkonda Saw Mills.

* 339 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Home Member be pleased to state—

(a) the total amount of bad and doubtful debts so far written off the accounts of the Russellkonda Saw Mills after they were handed over to Messrs. Parry & Co., as managing agents, together with the names of the defaulters;

(b) whether, according to the agreement entered into by the firm, all sales are at the risk of the managing agents who are responsible for the payments of the purchasing members to the Government and the Secretary is not in any way concerned with the default of the buyers or with any dispute as to the quantity or the quality of the timber; and

(c) whether the managing agents, Messrs. Parry & Co., have made good the losses due to the insolvency of their customers, and if so, to what extent?

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A.--(a) Rs. 3,954-7-5. Information as to the names of defaulters is not available. They are reported to be small dealers to whom small parcels of timber were sold on credit at the initial stage in order to introduce the timber in the Calcutta market.

(b) & (c) The agreement with the managing agents does not define the responsibility for the default of buyers. The matter is under consideration.

Mr. A. RANGANATHA MUDALIYAR :—" With reference to the answer given to this question may I ask whether according to the Accountant-General or the Auditor himself, Messrs. Parry & Co. are not liable for the default of the customers."

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—" Messrs. Parry & Co. cannot be held responsible."

Mr. A. RANGANATHA MUDALIYAR :—" Why? What steps do the Government propose to take to recover the debts or to prevent such recurrences in future?"

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—" Such steps as they think necessary and are open to them." (Laughter.)

Sriman SASIBHUSHAN RATH Mahasaya :—" In the answer to clause (a), the bad and doubtful debts so far written off have been given as Rupees 3,954-7-5. I wish to know what is the amount of bad and doubtful debts still remaining with Messrs. Parry & Co."

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—" That is all the debts."

Mr. C. RAMALINGA REDDI :—" We wish to know whether every step that is possible to take has been taken by the Government to recover these debts?"

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—" I think Government have taken the necessary steps."

Mr. C. RAMALINGA REDDI :—" Have not the Managing Agents power to sue the parties for the recovery of debts?"

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—" There is nothing in the agreement to this effect."

Mr. C. RAMALINGA REDDI :—" May I know whether any suits were filed against the parties for the recovery of these debts?"

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—" No."

Mr. C. RAMALINGA REDDI :—" May I know the reasons why suits were not filed against them?"

Mr. C. RAMALINGA REDDI :—" May I take it that these suits will be filed either by the Managing Agents or by the Government?"

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—" I shall consider the question."

Mr. C. V. VENKATARAMANA AYYANGAR :—" May I know, when these debts were given, the persons to whom they were given were in a solvent condition?"

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—" They were in a solvent condition."

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Military.

Treatment of ex-military service men.

* 340 Q.—Mr J. A. SALDANHA: Will the hon. the Member for Finance be pleased to refer to answers given to my questions Nos. 85 and 86 on 19th August 1924 (XIX—254–255) and to the proceedings of this Council on 17th March 1925 as to the treatment of ex-military service men, answer the questions left unanswered on 19th August 1924, and state—

(a) whether Government have received a representation, dated 25th April 1925, addressed by Mr. T. Roberts to the Chief Secretary to Government;

(b) whether Government have made inquiries in regard to his several allegations and with what result; and

(c) whether the Government will be pleased to place Mr. Roberts' representation and Government's reply to it before this House?

A.—(a) Yes.

(b) The Madras Soldiers' Board made an enquiry.

(c) A copy of Mr. T. Roberts' representation, dated 25th April 1925, and the orders "passed thereon will be placed on the table of the House."

Rao Sahib P. V. GOPALAN:—“With reference to the latter portion of clause (b), the Government do not say what they have done. I wish to know whether Government took any action in the matter.”

The hon. Mr. T. E. MOIR:—“The orders have been placed on the table.”

Local Boards and Municipal Councils.

The toll-gate near the Guntakal railway station.

* 341 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Local Self-Government be pleased to state whether the toll-gate near the Guntakal railway station is located at a place different from that mentioned in the sale notification, and, if so, the steps the Government have taken to rectify the irregularity?

A.—The Government have no information.

Mr. A. RANGANATHA MUDALIYAR:—“With reference to this question. I may point out that there is no such road maintained as Alur-Guntakal road, at least when these gates were established. The two gates are on different roads—the one leading to the railway goods shed and the other to Tasapuram. Will the Government be pleased to call for the information?”

The hon. the RAJA OF PANAGAL:—“I have no objection to call for the information.”

Mr. K. PRABHAKARAN TAMPAN:—“I wish to know whether the approval of the Government is necessary to shift a toll-gate from one place to another?”

The hon. the RAJA OF PANAGAL:—“No.”

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Accounts of the taluk boards of Anantapur, etc.

* 342 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Local Self-Government be pleased to state the action the Government propose to take in regard to all or any of the taluk boards of Anantapur, Dharmapuram, Penukonda, whose general accounts closed with a deficit last year?

A.—According to the budgets for 1924-25, it was expected that the Anantapur, Penukonda and Dharmavaram taluk boards would have deficits of Rs. 2,664, Rs. 9,073 and Rs. 7,620 respectively at the end of that year. The Government sanctioned compassionate grants equivalent to the deficits to the first two boards to enable them to wipe off their deficits. The Dharmavaram Taluk Board was requested to levy the optional land-cess in order to avoid the deficit. It is not known if in spite of the above grants the Anantapur and Penukonda taluk boards had deficits on 31st March 1925. The Government have not yet received the accounts of the boards for 1925-26 and have called for them.

The budget of the Anantapur Taluk Board for 1925-26 has been received. The budgets of the other two taluk boards have not been received. The Government will consider the question of giving compassionate grants, if necessity arises, to such boards as are expected to have deficits at the end of the current year.

Mr. A. RANGANATHA MUDALIYAR:—“Is it the policy of the Government to pay off the deficits of taluk boards if they are not able to balance their budgets normally?”

The hon. the RAJA OF PANAGAL:—“The taluk boards concerned deserve paying off their deficits, if they show that there is an absolute necessity for them to receive the help of the Government and that they have done all that is possible under the Act to make their financial position sound, then the Government may consider their cases.”

Mr. A. RANGANATHA MUDALIYAR:—“May I know whether such an opportunity was given to the boards that have been abolished to explain their position?”

The hon. the RAJA OF PANAGAL:—“I said that only in cases where it was absolutely necessary the Government would consider.”

Medical.*Management of the Leper Asylum, Chingleput.*

* 343 Q.—Rao Bahadur CRUZ FERNANDEZ: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that negotiations were concluded between the Mother Provincial of the Franciscan Sisters and the Government of Madras to entrust the management and care of the Leper Asylum at Chingleput to the sisters of that order;

(b) whether it is a fact that Government have changed their policy all of a sudden and entered into correspondence with the authorities of the All-England Leper Mission to take over the management of the asylum, and if so, what are the circumstances that led to such a sudden change of

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policy in spite of the previous negotiations with the Franciscan Sisters and in spite of the undertaking of the Mother Provincial to take over the management of the asylum in addition to the care and nursing of the lepers;

(c) whether it is a fact that, as a result of their change of policy, Government have handed over or have arranged to hand over the management and care of the asylum to the Rev. and Mrs. Southerland of Chingleput and if so, the reason which induced Government to give up the original proposal to entrust the same to the Franciscan Sisters;

(d) whether it is a fact that under the new arrangement there would be an additional outlay of about two lakhs of rupees on the construction of dwellings for the new staff and that the cost of maintenance of the new staff would be about four times higher than that according to the original proposal to hand over the management to the Franciscan Sisters;

(e) whether Government have carefully considered the financial aspect of the new proposals from an economic point of view in consideration of the large outlay of tax-payers' money required to be invested on the new scheme of working the institution;

(f) whether Government would give the Members of the Council an opportunity to closely examine the new as well as the previous arrangements to run the institution solely in the interests of economy and efficiency; and

(g) whether Government would be pleased to lay on the table of the Council all papers relating to the original and new proposals to entrust the management of the asylum to the missionary workers?

A.—(a) & (b) The hon. Member is referred to the answer given to question No. 649 on 24th March 1925.

(c) In paragraph 5 of the annexure to the answer to question No. 649, dated 24th March 1925, the Government have already stated the reason for handing over the settlement to the United Free Church of Scotland Mission and they have only to add that the settlement has since been handed over to that mission.

(d) It is not possible to institute a true comparison between the two proposals; the one was confined to nursing arrangements and minor duties, while the other relates to the entire administration of the settlement.

(e) Yes.

(f) As already pointed out, the two proposals are different from each other. The Government do not consider that any useful purpose will be served by an examination of the two proposals as suggested.

(g) A précis of the negotiations with the Franciscan Sisters has already been laid on the table on 24th March 1925 in answer to question No. 649. The conditions on which the management of the settlement has been handed over to the United Free Church of Scotland Mission are stated in G.O. No. 892, P.H., dated 27th April 1925, which is now laid on the table.*

* Printed as Appendix II on pages 638-640 infra.

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The Chingleput Leper Settlement.

* 344 Q—Mr. J. A. SALDANHA: Will the hon. the Minister for Local Self-Government be pleased to refer to the answer given to question No. 619 on 24th March 1925, pages 622 and 690 of volume XXIII of the Proceedings of the Legislative Council in connexion with the Chingleput Leper Settlement, and to state—

(a) what has been spent up to date and what is proposed to be spent hereafter on the buildings (i) for housing and treating the lepers themselves, (ii) for the nursing staff, (iii) for the doctors, (iv) for the Superintendent and Managers, (v) for any other purpose;

(b) to whom Government have entrusted (i) the management and supervision of the settlement, (ii) their medical treatment, (iii) the nursing of the lepers;

(c) whether the Mother Provincial of the Franciscan Sisters was asked as to at what cost she would be willing and able to undertake those functions and at what annual cost;

(d) what amounts the other agency or agencies have been promised to be paid for carrying out those several functions; and

(e) what will be the increase of expenditure to Government by entrusting the management, medical treatment and nursing to any other agency than the Franciscan Sisters?

A.—(a) (i), (ii), (iii), iv & (v) The hon. Member is referred to G.O. No. 936 W., dated 4th July 1925, placed on the table. Information regarding the expenditure incurred up to date is not readily available.

(b) (i) The Government have entrusted the management of the Settlement to the authorities of the United Free Church of Scotland Mission. As regards supervision, the Government have stipulated that a board of visitors should be appointed with power to inspect the settlement as often as deemed necessary. The institution shall also be open to inspection by Government officers such as the Surgeon-General, the Collector of the district, the District Medical Officer and any other officer who may be specially deputed by the Government.

(ii) & (iii), The medical treatment and the nursing of the lepers are entrusted to the staff employed by the Mission.

(c) The answer is in the negative.

(d) The hon. Member is referred to G.O. No. 892, P.II, dated 27th April 1925, placed on the table with reference to clause (g) of the answer to question No. 343.

(e) It is not possible to institute a comparison because in the case of the Franciscan Sisters the proposal was confined only to nursing arrangements and minor duties, while in the case of the other agency it relates to the entire management of the settlement.

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Public Health

Vaccination in the Presidency.

* 315 Q.—Mr. R. VEERIAN: Will the hon. the Minister for Local Self-Government be pleased to state the method of vaccination now adopted, the rules for the issue of lymph, and the qualifications required of vaccinators and whether any supervision is usually being done by expert medical men after vaccination?

A.—*Method of vaccination adopted.*—The attention of the hon. Member is invited to the answer given to question No. 246 at the meeting of the Legislative Council on 2nd March 1925.

Rules for the issue of lymph.—A copy of the revised directions for the use of vaccine lymph is laid on the Council Table^a.

Qualifications of vaccinators.—The attention of the hon. Member is invited to answer to question No. 753 printed with the proceedings of the Legislative Council for March 1925.

Whether any supervision is usually being done by expert medical men after vaccination.—The work of vaccinators is supervised by the Health Inspectors. In municipalities their work is supervised by the Medical Officer of the station or the Health Officer if there is one.

Mr. R. VEERIAN:—“Will the Government be pleased to consider the change of the present system of vaccination, namely, drilling system?”

The hon. the RAJA OF PANAGAL:—“That is a question about which the Government has to depend on the advice of the Surgeon-General and the Director of Public Health.”

Mr. R. VEERIAN:—“Are Government aware that there have been protests against this system, saying that it brings out blood?”

The hon. the RAJA OF PANAGAL:—“Protests by laymen or professional men?”

Mr. R. VEERIAN:—“By citizens who suffered.”

The hon. the RAJA OF PANAGAL:—“What all I can say is that Government take the advice of experts on these questions and act accordingly.”

Education.

The Government Girls' School, Anantapur.

* 316 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Education be pleased to state, year by year, the number of pupils in the higher classes of the Government Girls' School, Anantapur, ever since its establishment?

^a Printed as Appendix IV on pages 643-647 inf.a.

[Mr. J. A. Saldanha]

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Madras. With our own men, women and money we have got two first-grade colleges of our own—at least the Catholic community have sacrificed a good deal—and the Government college was built only on the foundation of the endowments of the local people. I do not say that we deserve a University; for that we will have to sacrifice much more. I do not want to oppose this Bill; I quite sympathize with the aspirations of the Andhras but I would appeal to all people to sacrifice much more and to give more and more endowments to their University. In Bombay large endowments were collected for the University and even the very buildings of the University in Bombay and of the University colleges came out of the endowments of the people—I do not say of the masses of the people, but from the merchant princes of Bombay. Why should not similar endowments come from the rich zamindars who are taxed very lightly and who are not labouring under any small incomes? I stand for the general tax-payer, Sir. I would not have Government meet more than one-third of the cost of the new Universities; at least two-thirds of the money needed for these purposes must come from the people who clamour for those universities.

"I am wondering why the hon. Minister has not included South Kanara in the orbit of this University while Bellary and other Kanarese districts have been included. I understand that the Telugu kings of old included South Kanara under their sway. Why should not this University also include South Kanara in its orbit? I sympathize with the difficulties felt by the Kanarese-speaking people in being included in a Telugu University. They can have their own University after some time if some rich gentlemen come forward with offer of endowments."

The hon. Rao Bahadur Sir A. P. PATIL:—"Mr. President, Sir, at this state it is unnecessary for me to refer to the various detailed suggestions that have been made from both sides of the House. I am grateful to every one of the hon. Members who spoke on this Bill welcoming its general principles and recognizing the aim and scope of the University Bill. I am also grateful to the hon. Member for Chittoor who has so well explained the case for the Andhra University and met certain remarks made by my hon. Friend representing Coimbatore. The hon. the Leader of the Opposition has just now explained the position in regard to the Ceded districts. He also explained that it is not purely from the geographical point of view but from the linguistic and the cultural point of view that we have to decide the question.

"Happily for me to-day we have the advocacy of Mr. Koti Reddi who has in unequivocal terms expressed agreement for Cuddapah being included in the area of the University. Similarly for Anantapur there has been no protest."

Mr. G. RAMESWARA RAO:—"I wanted to protest because Anantapur is away and that it has the additional advantage over Bellary in that the former has a first-grade college of its own."

* The hon. Rao Bahadur Sir A. P. PATIL:—"I am glad that Anantapur has scored against Bellary, but if Anantapur is to be lukewarm over this question then it will be deprived of the benefits of having a first-grade college of its own."

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The Model school attached to the Teachers' school at Saidapet

* 347 Q. MR. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Education be pleased to state whether in the Model school attached to the Teachers' school at Saidapet trained graduates are employed throughout, and if not, the class or classes which continue to be still in charge of secondary or even lower grade teachers?

A.—Trained graduates are employed in forms III to VI, and all classes from form II downwards are taught by secondary grade teachers.

MR. A. RANGANATHA MUDALIYAR:—"Sir, is it not the rule that even for the lower classes trained graduates should be employed?"

The hon. Rao Bahadur Sir A. P. PATRO:—"There is no rule to that effect."

MR. A. RANGANATHA MUDALIYAR:—"Is it not considered desirable by the Director of Public Instruction and other officers to make any such rule?"

The hon. Rao Bahadur Sir A. P. PATRO: "The discretion is with the headmasters to appoint suitable men to carry on the work of the school satisfactorily."

Students who underwent training in the Teachers' Colleges in the Presidency.

* 348 Q.—MR. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Education be pleased to state the number of students in the collegiate grade who underwent training during the last five years in the Teachers' Colleges in the Presidency, how many of them were from the Ceded districts, and the measures taken by the Government to attract a larger number of graduates from the said districts to undergo training in these colleges?

A.—The total number of students of the collegiate grade that underwent training during the last five years in the two Government Colleges at Saidapet and Rajahmundry was 837. Fifty were from the Ceded districts. No special measures have been taken by Government to attract students from these districts beyond the provision of stipends. It is open to Presidents of District Boards and Chairmen of Municipal Councils to depute students from these districts for training.

MR. A. RANGANATHA MUDALIYAR:—"Would it not be encouraging to the students of the Ceded districts who undergo training as teachers, if those who have already undergone the training are provided with suitable appointments?"

The hon. Rao Bahadur Sir A. P. PATRO:—"That does not arise out of this question, Sir."

Depressed class students in the Pallikonda Board Elementary Day School.

* 349 Q.—MR. R. VEERIAN: Will the hon. the Minister for Education be pleased to state—

(a) whether the Government are aware that the pupils belonging to the depressed classes are made to sit in a small detached hut in the compound of the Pallikonda Board Elementary Day School, North Arcot district, instead of inside the main building alongside the other caste boys;

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(b) if so, why such a distinction is made in the public school ;

(c) whether the Government are aware that the girls belonging to the depressed classes were denied admission by the headmistress when they sought for admission several times recently in the Pallikonda girls' school, North Arcot district ;

(d) what action has been taken on the representation made by me on the 28th May 1925, regarding the above matter to the Secretary, Law (Education) Department, as well as to the Director of Public Instruction, Madras ; and

(e) if the Government have no information with reference to clauses (a) to (d) whether they will be pleased to call for the information ?

A.—The Government have no information but have called for a report.

Mr R. VETRAN. — Sir, the answer says that the Government have no information but have called for a report. May I know if the report said to have been called for has already been received, and, if so, may I know whether the hon. Minister in charge will be pleased to lay it on the table ?

The hon. Rao Bahadur Sir A. P. PATRO. — The report has not yet been received.

Agriculture.

Improvement of jute and groundnut.

*350 Q.—Rao Bahadur C. V. S. NARASIMHA RAJU. Will the hon. the Minister for Development be pleased to state what steps are being taken by the Agricultural Department for the improvement of jute and groundnut varieties ?

A.—Jute proper is not grown in this Presidency. The area of so-called Bimilipatam jute or Decan hemp is not large enough to justify the transfer of the present agricultural staff from the investigation of more important crops. Varieties of groundnut have been tested near Palur without conclusive results up to date. An area of land at Palankuppam in Tiruvannam taluk has recently been leased to conduct further experiments.

Rao Bahadur C. V. S. NARASIMHA RAJU. —“ The hon. Minister says in this answer that jute proper is not grown in this Presidency. May I know if jute improper is grown in this Presidency ? Further, one variety of jute is grown in large quantities in the district of Vizagapatam. Is the Government not aware of the fact that this is one of the most important industrial products of the district ? ”

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI. —“ Bimilipatam jute is being cultivated, but the area under such cultivation is not of such importance as to induce the Agricultural Department to make special experiments for the cultivation of that crop.”

Rao Bahadur C. V. S. NARASIMHA RAJU. —“ Does not Bimilipatam supply the jute necessary for the jute factories at Nellimarla and Chittivalesa in the Vizagapatam district and also to the factory at Guntur, and is not Bimilipatam jute exported in large quantities to Calcutta and foreign countries ? ”

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The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :— My own information is that the area under such jute cultivation is very small. But if the hon. Member would give me facts and figures, I shall go into them."

Sriman SASIBHUSHAN RATH Mahisay :— Will the hon. the Minister be pleased to state approximately the area under jute cultivation at present?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :— It is so small that I did not care to get the information."

Mr. C. RAMALINGA REDDI :— I would request my hon. Friend the Minister to investigate the subject. We are not able to give the exact figures, and they are not readily available to us."

Mr. M. RAJASWAMI :— Is it not a fact that there is a very great decline in the produce of jute since 20 years ago, when it was extensively cultivated? I believe that since there has been a decline. Will the hon. the Minister be pleased to state the main causes for this decline?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :— First I must verify the facts, and then I shall make enquiries."

Manufacture of malted food from cholam.

* 351 Q.—Mr. A. RANGANATHA MUDALIYAR : Will the hon. the Minister for Development be pleased to enquire—

(a) whether, in view of the proposed improvement in the financial position of the Presidency, the Government propose to undertake the manufacture of the malted food from cholam on a commercial basis; and

(b) whether they have published the Agricultural Chemist's report of his experiments on the matter of large quantities of cholam for general information?

A. —(a) No.

(b) Yes; copies can be had from the Superintendent, Government Press, Madras.

Mr. A. RANGANATHA MUDALIYAR :— With reference to clause (a), I wanted to know whether the Government propose to undertake the manufacture of malted food from cholam on a commercial basis, but the Government say 'No'. I wish to know whether it is because the Government think that there has been no improvement in the financial position or whether they consider that it is impossible to manufacture it on a commercial basis, or for what other reason?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :— It has been manufactured as a process in the chemical art, and it has also been demonstrated that it could be manufactured on a commercial basis. But the real question is whether any large section of the Indian population will take to the use of malted foods. If the Government are assured on that point, they will take the necessary steps. Already my hon. Friends know that in a similar venture, the information that we already have is not sufficient to show that the people as a class are willing to take to these fruit jams and fruit preserves. Therefore

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I wish to know for certain whether there is a demand. If information is forthcoming that it would be largely patronised, we will take the necessary steps."

Mr. A. RANGANATHA MUDALIYAR :— "The hon. the Minister may be pleased to give us an idea of the quantities of such foods now imported into our province."

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :— "I shall find out."

Mr. T. ADINARAYANA CHETTIYAR :— "May I ask the hon. the Minister to find out whether large quantities of these foods and preparations are being imported into the country every year?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :— "That was what Mr. A. Ranganatha Mudaliyar asked, and I will make inquiries."

Mr. T. ADINARAYANA CHETTIYAR :— "As regards the unwillingness on the part of the Madras public to patronize jams and fruits..."

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :— "No question of unwillingness, but the reality of fact statistics."

Mr. T. ADINARAYANA CHETTIYAR :— "Is the hon. the Minister aware that the state of affairs is due to the fact that jams and fruits in the Government factory are sold at higher price than those at which first-rate imported jams are available in the Madras market?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :— "Yes, the prices are slightly higher."

Mr. T. ADINARAYANA CHETTIYAR :— "Is that not sufficient reason for people not patronizing these jams and fruits?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :— "I do not know that."

Co-operative Societies.

Advance collection of share capital of co-operative societies

* 352 Q.—Mr. T. ADINARAYANA CHETTIYAR : Will the hon. the Minister for Development be pleased to state with reference to his answer to Interpellation No. 471, clauses (c) and (d), dated 17th March 1925, regarding the advance collection of share capital of co-operative societies—

(a) whether he will call for definite information in the matter; and

(b) whether it is a fact that such procedure was adopted only in cases where the members were asked to pay the entire share capital all at once as they were suspected not to be solvent enough to pay?

A. —(a) The number of societies in which registration was deferred pending the collection and remission of the full share capital of the original members during the two years ending 31st December 1924 is given below

District	Number of societies
Cuddapah	4
Madara	5
North Arcot	9

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The amounts in deposit in Central Banks to the credit of societies the registration of which is still pending are—

Name of Central Bank.	Amount.		
	RS.	A.	P.
Christian Central Bank	1,090	0	0
Chittoor District Bank	78	8	0
Velore Central Bank	161	0	0

(b) No

Mr. T. ADINARAYANA CHEITTYAR:—“With reference to clause (b), the answer is ‘No’, so that the reason is not what is suggested in the interpellation. Will the hon. the Minister be pleased to state what the reason is?”

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—“There are various reasons.”

Mr. T. ADINARAYANA CHEITTYAR: “Some of them at least may be given.”

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI: “I shall make further enquiries into the matter.”

Mr. T. ADINARAYANA CHEITTYAR:—“Is the hon. the Minister aware that the societies referred to in this interpellation are Raffeisen societies in which little or no capital is expected to be brought by the members into the society?”

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—“I shall make enquiries. I have not got the information here.”

Mr. T. ADINARAYANA CHEITTYAR:—“What is the meaning of poor people who come and join the society not for any spiritual benefit but with the object of getting loans, being compelled to bring in the entire share capital which has to be paid by them?”

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—“It all depends on the personnel of the society in all these matters.”

Mr. T. ADINARAYANA CHEITTYAR: “I find that the worst offender in this respect is my district, North Arcot. All the societies referred to in this interpellation are primary societies of unlimited liability and they are Raffeisen societies consisting of poor people whose only capital practically should be their character.”

Industries.

The Model Industrial school in the Northern Circars.

* 353 Q.—Mr. A. RANGANATHA MUDALIYAR: With reference to the G.O. No. 2048, Development, dated 28th November 1924, will the hon. the Minister for Development be pleased—

(i) to make a statement on the working of the Model Industrial school, if any, in the Northern Circars; and
ii) to state

(a) when such a school will be established in the Ceded districts as suggested by the Technical and Industrial Committee;

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(b) whether suitable curricula have been drawn up and approved by the Government for the Government industrial institutions;

(c) whether a preparatory Trades School has been established in Madras to enable pupils who have completed their primary or middle school course to undergo a two or three years' course in general education heavily biased towards industry;

(d) the final orders passed on the proposal for the appointment of an Assistant Inspector of Industrial Schools with a view to the development of the lace and embroidery industry; and

(e) the arrangement made for short refresher courses for the benefit of the present untrained teachers to improve their efficiency as teachers until fully trained teachers become available?

A.— i) No school has yet been started

(ii) (a) It is not proposed to start a school in the Ceded districts until some experience has been gained of the working of an industrial school in the Northern Circars.

(b) & (c) Proposals have been received from the Director of Industries and are under the consideration of Government.

(d) Final orders have not yet been issued.

(e) The Government have already approved a Code of Regulations for Industrial Schools which makes provision, among other things for payment of grants to private institutions which undertake to provide short special courses of training. If possible, funds will be provided in the next budget.

MR. A. RANGANATHA MUDALIAR.—“With regard to clause 2 (a), does the hon. the Minister think that a school in the Ceded districts need not necessarily thrive because of a school existing in the Northern Circars?”

THE HON. DIWAN BAHADUR T. N. SIVAGNANAM PILLAI.—“Everybody seems to be of the opinion that a school in the Northern Circars would be more favourably situated than one in the Ceded districts, for this experiment and I wish to see how the experiment in the Northern Circars would work before we undertake any venture in the Ceded districts.”

SRI MAN SASIBHUSHAN RATH Mahasaya:—“Was not a provision made in the last budget for a school in the Northern Circars?”

THE HON. DIWAN BAHADUR T. N. SIVAGNANAM PILLAI.—“No provision was made.”

MR. P. ANJANEYULU.—“Is the location of this school fixed in the Northern Circars? Where is it to be opened?”

THE HON. DIWAN BAHADUR T. N. SIVAGNANAM PILLAI.—“This has not been settled.”

MR. P. ANJANEYULU.—“May I know what sort of training will be given to the pupils? It is said that it will give instruction in modern industries. I want to know in what sort of industry instruction will be given in this school.”

THE HON. DIWAN BAHADUR T. N. SIVAGNANAM PILLAI.—“This will be something like the Madura Technical Institute on a small scale.”

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SRIMAN SANBHUSHAN RATH Mahasaya :— In answer to clause (b) it is stated that proposals have been received from the Director of Industries and are under the consideration of the Government. Have these proposals been placed before the advisory board of Industries?

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :— They have not yet been scrutinized by Government and when they are scrutinized they will be placed before the Advisory Committee.

MR. A. RANGANATHA MUDALIYAR :— Will the hon. the Minister be pleased to state whether the school in the Northern Circars will be more paying or whether it will be better attended?

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :— I think that it may be more patronised than any school in the Ceded districts.

MR. A. RANGANATHA MUDALIYAR :— Does he suggest that the need for a school in the Ceded districts is less, or that the people there, may be slow to take advantage of it? If it is the latter, it is the duty of the Government to educate the people so as to recognise the need for it.

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :— That is our idea, and we are also trying to educate the people in the manner suggested.

UNSTARRED QUESTIONS.

Irrigation.

Water-rate in Madurai on the basis of resettlement registers.

324 Q. MR. ABLAS ALI: Will the hon. the Law Member and the hon. the Member for Revenue be pleased to state—

(a) whether it has been decided in Madurai Town District Munsif's Court that the adoption of the resettlement registers for water-rate is contrary to Irrigation Class Act;

(b) whether water-rate is charged for water taken through inamdar's faikal water courses and inamdar's tanks comprised within the limits of his village;

(c) whether water-rate is charged on involuntary supply also in such cases;

(d) whether in cases of such involuntary supply, the ryots' application made to avoid water-rate is refused and penal water-rate charged at 20 times as in case of irregular and unauthorized supply; and

(e) whether it is a fact that all orders for permanent supply were cancelled by the Collector of Madurai without any individual notice to the ryots?

A.—(a) The Government have no information of any such decision.

(b) & (c) If the hon. Member refers to the inam villages irrigated by the Periyar project the answer is in the affirmative.

(d) No such cases have been brought to the notice of Government.

(e) The hon. Member is referred to the answer to question No. 331 asked at the present meeting.

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Result of the Collectors' Conference regarding the Irrigation Bill.

355 Q.—Sriman SASIBHUSHAN RATH Mahasavo: Will the hon. the Law Member be pleased to state whether as a result of the discussions and deliberations at the Collectors' Conference any recommendations were received by the Government regarding any of the provisions in the Irrigation Bill and whether such recommendations will be published for general information?

A.—No recommendations were received as a result of the conference. The opportunity of this conference was taken to examine further the effect on administration and revenue of some of the provisions of the Bill.

Secretariat.*Appointment of non-technical officers as Secretary and Under Secretary in the Public Works Department*

356 Q.—Rao Bahadur T. A. RAMALINGA CHETTIAR: Will the hon. the Law Member, the hon. the Minister for Revenue, the hon. the Minister for Local Self-Government and the hon. the Minister for Education be pleased to state—

(a) whether the Government have appointed non-technical officers as Secretary and Under Secretary in the Public Works Department;

(b) whether this department is a temporary department;

(c) whether it is a fact that the Government have recommended the scheduling of these appointments, and, if so, what are the reasons for such recommendation;

(d) whether the Government are aware that there is a very strong feeling in the country against the possibility of giving every high appointment created;

(e) whether it is true that the Government propose to make the appointment of Registrar-General of Panchayats permanent; and

(f) whether it is true that the Government have recommended this appointment also to be scheduled; if so, what are the reasons for such recommendation?

A.—(a) A member of the Indian Civil Service was appointed temporary Secretary in the Public Works Department on 21st May 1925. No non-technical officer has been appointed Under Secretary in the Public Works Department.

(b) & (c) The appointment is temporary for six months but the Government of India have been asked to obtain the Secretary of State's sanction to the appointment of a non-professional Secretary to relieve the Chief Engineers of their Secretarial duties and to the addition for this purpose of one appointment in the superior time scale to the cadre of the Indian Civil Service with a corresponding inferior training post.

(d) No.

(e) & (f) The Secretary of State has sanctioned the permanent retention of the post of Inspector of Municipal Councils and Local Boards and the consequent addition to the Indian Civil Service cadre of one post on the superior time scale with a corresponding training post on the inferior time scale. The present Inspector of Municipal Councils and Local Boards is

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also Registrar-General of Village Panchayats, but the latter appointment is not included in the cadre of the Indian Civil Service and there is no proposal under consideration to include it in that cadre.

Convict Settlements.

Allotment for the Kavali Erakula Settlement.

357 Q.—Mr. B. RAMACHANDRA REDDI: Will the hon. the Home Member be pleased to state—

(a) why the allotment for the Kavali Erakula settlement has been increased immensely in the current budget;

(b) whether the excess amount over that of the previous year has been sanctioned by the Finance Committee; and

(c) whether the accounts of that settlement are audited regularly by the Government and found satisfactory?

A.—a The increased provision in the budget estimate for the current year over the budget estimate for 1924-25 is due to

(1) the increase in the strength of the Kavali Settlement during the year on account of the transfer to Kavali of settlers from the Guntur Reformatory Settlement and the Elumunthala Settlement (which has been abolished) and

(2) the fact that the financial arrangements proposed in connexion with the re-organization of the Kavali Settlement (which were taken into account in fixing the budget estimate for 1924-25) were not given effect to. The provision is not excessive when compared with the revised estimate for 1924-25 and the actuals of 1923-24.

(b) Yes.

(c) The Examiner of Local Fund Accounts has been asked to arrange for the audit of the accounts of the settlement. His report has not yet been received.

Legislative.

The work of Council Secretaries.

358 Q.—Mr. J. A. SALDANHA: Will the hon. the Minister for Local Self-Government, the hon. the Minister for Education and the hon. the Minister for Development be pleased to state where the several Council Secretaries of the hon. the Ministers were stationed or were travelling and what part of their legitimate work they were doing during the sojourn of Government at Ootacamund?

A.—As Council Secretaries they are put-time officers and were not entitled to travelling allowance or to free quarters at Ootacamund. They assisted the Ministers when they were going on tour in the districts.

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Registration.*Stamp fees for returning documents presented for registration.*

359 Q.—SRIJANA SASIBHUSHAN RATH Mahasaya: Will the hon. the Minister for Education be pleased to state—

(a) whether payment of annas five is insisted upon for every document presented for registration for returning the same by post;

(b) what portion of the five annas is actually spent on (i) postage, (ii) envelope;

(c) whether Sub-Registrars are utilizing any portion from the deposit of five annas for purchase of stamps for their office use than for the return of documents;

(d) whether he is aware that in a majority of offices the sum of annas five is demanded as if that sum was included in the registration fees;

(e) what is the total amount of money received during the year 1.24-25 for return of documents and how much of that money has been actually spent on postage and how the balance has been utilized; and

(f) in view of the fact that five annas is not required in a majority of cases for transmission of documents by post whether he will be pleased to consider the advisability of retaining the postal fee deposit?

A—(a) Yes if the presentment is sent by return of the document by post.

(b) The amounts vary with the size and weight of each document sought to be returned by post. The *minimum* postage including registration and document fees is four annas and the cost of each envelope is one pie.

(c) The hon. Member is referred to the answer to clause (3) of question No. 911 answered at the meeting of the Legislative Council held on the 15th October 1924.

(d) No.

(e) Information has been called for.

(f) The question is already under the consideration of the Government.

Development Department.

Allotment out of the remission of Provincial contributions to Department under the hon. Development Minister.

360 Q.—MR. B. RAMACHANDRA REDDI: Will the hon. the Minister for Development be pleased to state—

(a) what amount was allotted for each of the departments under his control out of the remission of Provincial contribution;

(b) whether any amount has been set apart for the improvement of the status and the increment of the salaries and grades of the veterinary assistant surgeons;

(c) whether any new dispensaries and touring billets have been started or are under contemplation, and if so at what centres; and

(d) whether any fresh recruitment of veterinary assistant surgeons has been contemplated, and if not, why not?

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A.—(a) It is proposed to move for supplementary grants for the following amounts for the various departments:—

	RS.
(1) Agriculture	1,67,825
(2) Industries	1,63,640
(3) Fisheries	41,300
(4) Co-operation	10,185
(5) Veterinary	8,935
(6) Weights and measures	1,300

(b) No.

(c) Dispensaries have been sanctioned at Krishnagiri in Salem, Gobichettipalayam in Coimbatore and Harpanahalli in Bellary. It is proposed to open three more at Kavali, Conjeevaram and Karur during 1925-26. Tearing posts have been sanctioned at Namakkal, Chandragiri and Hosur and three more are proposed for Podili in Nellore, Pollachi in Coimbatore and Pithapuram in Godavari in the current year.

(d) Fresh recruits will be necessary when the three new dispensaries and the three tearing billets referred to in clause (c) are sanctioned.

[Note—An asterisk, *, at the commencement of a speech indicates revision by the Member.]

* The RAJA OF RAMNAD:—“May I ask, Sir, why so few questions have been answered to-day? Is it because all the questions have been exhausted, or because the Government have not sent in their answers to the Council Office?”

* The hon. the DEPUTY PRESIDENT:—“All the questions for which answers have been received have been put in the answer papers.”

* Mr. SAMI VENKATACHALAM CHETTI:—“May I know, Sir, whether the Government, after sending an answer to the Council Office, can withdraw that answer at any stage?”

* Mr. A. RANGANATHA MEDALIYAR:—“If the Government have no objection, Sir, we shall proceed with the unstarred questions and ask supplementary questions on them.” (Laughter).

* The hon. the DEPUTY PRESIDENT:—“With regard to the question of Mr. Sami Venkatachalam Chetti, I suppose the Government can correct themselves as anyone else, whenever they find that they have made mistakes; and we should raise no objection to that. They need not stick to their mistakes or to any ‘prestige’.”

* Mr. SAMI VENKATACHALAM CHETTI:—“Is there no limit of time within which they can withdraw or correct or alter or modify their answers?”

II

DISCUSSION ON QUESTION NO. 280A REGARDING THE ALLEGED ACCEPTANCE OF OFFICE BY AN M.L.C.

* Rao Bahadur C. V. S. NARASIMHA RAJU:—“Mr. Deputy President, Sir, on Friday, regarding my question No. 280A, it was enquired whether I took sufficient precautions and made sufficient enquiries so as to have any foundation for my putting that question. I requested the hon. the President to

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Registration.*Stamp fees for returning documents presented for registration.*

359 Q.—SRIJANA SASIBHUSHAN RATH Mahasaya: Will the hon. the Minister for Education be pleased to state—

(a) whether payment of annas five is insisted upon for every document presented for registration for returning the same by post;

(b) what portion of the five annas is actually spent on (i) postage, (ii) envelope;

(c) whether Sub-Registrars are utilizing any portion from the deposit of five annas for purchase of stamps for their office use than for the return of documents;

(d) whether he is aware that in a majority of offices the sum of annas five is demanded as if that sum was included in the registration fees;

(e) what is the total amount of money received during the year 1.24-25 for return of documents and how much of that money has been actually spent on postage and how the balance has been utilized; and

(f) in view of the fact that five annas is not required in a majority of cases for transmission of documents by post whether he will be pleased to consider the advisability of retaining the postal fee deposit?

A—(a) Yes if the presentment is sent by return of the document by post.

(b) The amounts vary with the size and weight of each document sought to be returned by post. The *minimum* postage including registration and document fees is four annas and the cost of each envelope is one pie.

(c) The hon. Member is referred to the answer to clause (3) of question No. 911 answered at the meeting of the Legislative Council held on the 15th October 1924.

(d) No.

(e) Information has been called for.

(f) The question is already under the consideration of the Government.

Development Department.

Allotment out of the remission of Provincial contributions to Department under the hon. Development Minister.

360 Q.—MR. B. RAMACHANDRA REDDI: Will the hon. the Minister for Development be pleased to state—

(a) what amount was allotted for each of the departments under his control out of the remission of Provincial contribution;

(b) whether any amount has been set apart for the improvement of the status and the increment of the salaries and grades of the veterinary assistant surgeons;

(c) whether any new dispensaries and touring billets have been started or are under contemplation, and if so at what centres; and

(d) whether any fresh recruitment of veterinary assistant surgeons has been contemplated, and if not, why not?

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NON-OFFICIAL BUSINESS.

III

A BILL FURTHER TO AMEND THE MADRAS CITY MUNICIPAL ACT, 1912,
OF MR. SAMI VENKATACHALAM CHETTI.

* Mr. SAMI VENKATACHALAM CHETTI:—"Sir, since I gave notice of my motion to beg leave of this House to introduce an amending Bill to the City Municipal Act, the Corporation of Madras has constituted a committee to examine the present Act with a view to suggest more comprehensive amendments than the one I have given notice of. I have also received a suggestion from the Secretary to the Local Self-Government Department that I would be well advised to postpone my asking for leave at this stage. I therefore beg of you to allow me to withdraw the motion."

The motion was accordingly not made.

IV

A BILL TO AMEND SECTIONS 114, 115 AND 117 OF THE MADRAS
LOCAL BOARDS ACT, 1920, OF RAO BAHADUR A. S. KRISHNA RAO PANTULU.

* Rao Bahadur A. S. KRISHNA RAO PANTULU:—"Sir, I ask for leave to introduce a Bill to amend the Local Boards Act, 1920. At this stage one is not permitted to make a statement because it is a mere application for leave, and after the motion is put and leave granted, the Bill is to be published, after which stage there can be any discussion on it."

* Mr. C. V. VENKATARAMANA AYYANGAR:—"Before we make up our minds to grant the leave, we should know something about which leave is asked for."

* The hon. the RAJA OF PANAGAL:—"Sir, I am not generally averse to leave being granted for the introduction of Bills. On this occasion, I may say that the Bill proposed to be introduced is absolutely unnecessary, because the interference of the Government with the budgets of local bodies is possible under the existing law only when the budgets are not balanced."

* Rao Bahadur A. S. KRISHNA RAO PANTULU:—"Sir if it is to be opposed, I am to make a statement. If you will permit me, Sir, I shall make a statement."

* The hon. the RAJA OF PANAGAL:—"While I do not want to oppose the granting of leave for introduction of this Bill, I want to tell the hon. Members that they are unnecessarily giving heavy work to the Secretariat by introducing such Bills. I am sure that the Bill will have to be dropped at a later stage. So I only want to tell my hon. Friend that there is no use in asking for leave to introduce the Bill. As I already said, I would not object to leave being granted."

* Mr. R. SRINIVASA AYYANGAR:—"Some of us on this side of the House are at a disadvantage in not being in a position to know what the Bill is like, and it is therefore impossible for us either to understand what the leave is for or to appreciate the opposition directed against it."

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* Rao Bahadur A. S. KRISHNA RAO PANTULU :—"I will make a statement for the benefit of the hon. Members of this House."

* Mr. O. V. VENKATARAMANA AYYANGAR :—"On a point of order, Sir. The statement is to be made only if there is any objection, and there is no objection raised by the hon. the Minister for Local Self-Government as he has just now said."

* Mr. R. SRINIVASA AYYANGAR :—"To draw out a statement, I say I object."

* Rao Bahadur A. S. KRISHNA RAO PANTULU :—"The Bill is a short one, and deals with three sections of the Local Boards Act, 1920, viz., sections 112, 116 and 117. So far as section 112 is concerned, sub-clause (1) says that the funds of a local board are to be utilized for certain purposes such as for construction, repair and maintenance of roads, bridges and other means of communication, for planting of trees on roadsides, for the construction and maintenance of hospitals, etc. Sub-clause (2) says :

'The funds of a local board shall be applicable to the purposes mentioned in sub-section (1) within the area of the local board and to the purposes specified in Schedule V and any further rules that may be prescribed; and shall be applicable to such purposes outside the local board area if the expenditure is authorized by the local Government or is authorized by the local Government.'

'I suggest that there is no justification for the further restrictions in that section by means of the rules to be prescribed. So there is no necessity for any further rules.'

"So far as sections 116 and 117 are concerned, they deal with the orders which will be passed by the Government on the budget sent by the local board. This is what section 117 says :

'(1) The district board shall, not later than 15th February in each year, submit to the local Government a consolidated budget for the following year of all local boards in the district.'

(2) If such consolidated budget fails to provide for the due discharge of all liabilities in respect of loans contracted by any local board or for the maintenance of a working balance, the local Government may direct that any part of it shall be so altered as to ensure that such provision is made.'

"I may point out that the words 'any part of' are absolutely unnecessary and they give rise to difficulty in working the provisions of the Act. The object of the legislature in enacting sections 116 (3) and 117 (2) is merely to ensure that the local boards make provision for the discharge of their obligations in the matter of maintaining the minimum working balance, and the Government is empowered to so alter the budget as to ensure it. If the words 'any part of' are retained, it gives scope for the local Government to enter into details and say that one school ought to be closed here and Rs. 5,000 should be cut out from that item and so on. Again, the discussion at the time of the passing of the Local Boards Act will show that it was never their intention to fetter the discretion vested in the local boards or place any restrictions on them in respect of expenditure, but they only wanted to provide for the discharge of liabilities and for the maintenance of a minimum working balance by the local boards. So I want to delete those words 'any part of'. Those are my amendments."

The motion was put and carried and the leave applied for was granted.

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V

A BILL TO AMEND THE MADRAS CITY TENANTS' PROTECTION ACT, OF
MR. L. C. GURUSWAMI

* Mr. L. C. GURUSWAMI:—“ Mr. President, Sir, with your permission, I beg to introduce a Bill to amend the Madras City Tenants' Protection Act, 1922. As most of the hon. Members of this House are aware, the Act was intended to afford protection to tenants who in many parts of the city have constructed buildings on others' lands in the hope that they would not be evicted so long as they paid a fair rent for the land. As the late Law Member said at the time of introducing the measure in the Council, it was an emergency piece of legislation prompted to meet the special crisis that had arisen in the city. Tenants who had constructed valuable houses on others' lands and lived in them for a generation or more could with impunity be evicted without even compensation for the superstructures. The Act now in force has certainly afforded protection to tenants who have built costly buildings. But what about the poor tenants who have built and lived in humble huts? Their cause remains yet unprotected, for the poor tenants get very little or no compensation for superstructures and find it hard to secure land elsewhere. In most cases, these tenants live near their places of work. When they are evicted, they are naturally averse to going to distant places far off from their places of work. They try to shift for themselves very near their former places of residence. Consequently, the result is they crowd themselves in places already overcrowded. I need not tell, Sir, what the effects of overcrowding are on the health of the city. The only remedy in their case for all this, to my mind, is the granting of occupancy rights. But the present Bill does not attempt to deal with that vexed question. I know there is considerable difference of opinion on that point. I am sure a time will come when this Council will of its own accord confer such a right. The Bill which I introduce is a humble measure intended to rectify certain defects observed in the actual working of the Act. It does not seek to raise any controversial question. So, without going into greater detail, I shall briefly indicate the reasons for this amending Bill.

“ The Act now does not recognize the right of the tenant when evicted for compensation for all the improvements effected in the land except in regard to trees planted by him. It is a matter of common knowledge that in a large number of cases the lands on which houses have been built were originally jungle lands, marshy places, quite unfit for occupation. It is but fair that in cases where improvements in the land have been made since the time of its occupation, compensation should be paid for all the improvements to the tenant. By his hard labour and perhaps at considerable expense the tenant has improved the site and rendered it fit for human habitation. By specific mention in the Act that the tenant is entitled to compensation for trees planted by him, compensation for other improvements has virtually been ruled out of consideration. So a definition of the word ‘ improvements ’ in section 2 of the Act has been given and the addition of words at the end of section 3 recognizing the need for compensation for all improvements has been made in this Bill.

“ Under the Act the landlord can apply to the court for enhancement of rent under certain circumstances and the Act imposes a limit in regard to

* Published in Part IV of the *Fort St. George Gazette*, dated 24th February 1925.

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enhancement. But the hon. Members of the House are aware, Sir, that there was a time when the prices of lands in this city went up very high and consequently rents for lands also were increased. Things have changed a great deal since then and the value of lands has gone down to a great extent. But the tenants are being made to pay the same rents. I venture to submit that the rise in rents even then imposed considerable hardships on the poorer classes of tenants, and to expect them to continue to pay them even when the value of land has come down is not just. Moreover, the landlord is given the right to ask the court to enhance the rent. My humble suggestion is that the tenants also should be given the privilege of requesting the court to reduce the rents wherever necessary, taking into consideration the altered and changing circumstances. I plead for this concession, as the poor and helpless tenants deserve it badly. I ask for no arbitrary reduction, for the matter is entirely in the hands of the courts and the Bill proposes a limit beyond which the rents cannot be reduced.

"In deciding the market value of the land, the City Civil Court Judge in some eviction suits has taken into consideration the rise in the value of the lands owing to improvements effected by the City Municipality by way of metalled roads and provision of drainage lights, etc.—vide judgment in O. S. Nos. 464 and 465 of 1922 on the file of the City Civil Court. In the course of the judgment in these suits, discussing the evidence let in for fixing the value of the land, the Judge remarks: 'Besides, in a good many of these cases the lands sold were again lands at that time on which superstructures have been erected subsequently. Naturally a person who has already erected a superstructure and rendered the land more valuable thereby, would have to be paid more than the person who has sold a vacant land. Further, in the region in which the defendants' superstructures are situated, the municipality has opened proper metalled roads and supplied drainage and lights; and so they are more valuable than the lands covered by Exhibits V and X.' I venture to submit the circumstances that helped to increase the value of the land mentioned in the judgment, which are mostly due to tenants only, should not be allowed to enable the landlord to get the benefit of them. The benefit of the increased value due to these improvements should, properly speaking, go to the tenants.

"If the land had been vacant and left unoccupied, there would have been no need for these improvements. Nor would the municipality have cared to effect them. It is because the tenants occupied the land and built superstructures on it, these improvements, which have contributed to the increased value of the land, have been effected. So I propose in my Bill that the improvements effected by the municipality should not be taken into consideration in fixing the value of the land on the date of the order. If they are taken into account at all, the benefit should go to the tenant. But I have not made any such provision. I can also adduce arguments to show how by various means the landlord can manage to put forward a claim for a higher price and how he can put in evidence in support of his claim. But it is not to my immediate purpose.

"At present the tenant is not entitled to apply for the sale of land in the first instance. He can exercise his right to purchase only when the landlord chooses to institute eviction proceedings. Unless they are sure of a high market value, the landlords will not naturally resort to law courts

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with eviction suits. Meanwhile the condition of the tenants is precarious with the sword of Damocles, the threat of eviction, always hanging over their heads. This feeling of suspense and insecurity is not conducive to good relations between the landlords and the tenants. I have provided, by the addition of section 9-A, the right to the tenant to apply to the court for the sale of land at any time he chooses. It is just and proper that the tenant who has built his superstructure and has been living on the land for a number of years should be given this concession. This is merely an extension of the privilege already enjoyed by him under section 9 of the Act: (section 9-B) is consequential, providing for the disposal of monies relating to trust property.

"As regards other sections proposed by me, I have only attempted to give effect to the Full Bench decisions of the High Court so that the incorporation of these decisions may place the interpretation of these sections beyond doubt. The Full Bench of the Madras High Court have decided overruling the decision in 46, Madras, 836, that section 9 applies to tenants who are holding lands under trustees of religious or charitable endowments and in an ejectment suit the latter can be compelled to sell the trust lands to the tenant. While the decision has no doubt set at rest doubts entertained about the applicability of section 9 to trust lands, I have attempted to make the explanation for the word 'land' perfect so that all litigation in regard to trust lands may in future be avoided.

"The Full Bench of the Madras High Court has also ruled that section 9 applies also to the cases of tenants against whom orders or decrees in ejectment had been passed at the time of the passing of the Act, but where the ejectment had not actually been carried into effect. Here failure to include section 9 in the sections mentioned in section 10 (1) led to litigation and a Bench of two hon. Judges had expressed themselves that section 9 was not applicable to these cases, but the Full Bench overruled this decision. I have included section 9 also in 10 (1) to make the point clear from doubt, to avoid further interpretations of law by the courts.

"Before I conclude, let me repeat again that the proposed Bill is no revolutionary measure depriving the landlords of their well-established rights. It is a small piece of legislation giving the tenant certain rights which he can avail of only subject to the decisions of the law courts. These rights will in no way affect adversely the legitimate claims of the landlords. I ask for these rights to tenants because of the peculiar conditions prevailing in this city where most of the tenants, especially the poorer classes, have been living on others' lands. With these words, Sir, I beg to introduce the Bill to amend the Madras City Tenants Protection Act of 1922 and move that it be read in Council."

* Rao Bahadur M. C. RAJA :—"Sir, I beg to second the motion. I need not in this connexion refer to the grievances of the depressed classes generally or how they are proposed or supposed to be remedied either by the Labour Department or by the party in power. The amending Bill is simple in scope but wide in its usefulness. At the time the Madras City Tenants Protection Act was passed, the Government Member in charge made me clearly to understand that it was only a tentative measure and that amendments as a result of expansion were inevitable.

[Mr. M. C. Raja]

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"Now the amending Bill introduces amendments gained by experience on six points. Three of these are simply due to judicial pronouncements on the Act and two out of the three follow the decision of the Full Bench. These are, (1) a definition of land which will include endowed lands; (2) the other is the inclusion of section 9 in section 10. Both these points, as indeed the rest, are absolutely non-controversial and have, as a matter of fact, been viewed in the very light in which they are presented in the amending Bill by the Full Bench of the High Court of Madras. There are several hundreds of houses built upon the so-called religious or charitably endowed lands and the hon. Members will agree with me in holding that the varamdars and other lessees and sub-lessees of these endowed lands should not be allowed to play the Shylock or perhaps the Machiavelli with us poor tenants.

"The third point (39 A) arises out of the common-sense principle that where one party to a contract is given a privilege, the same or a similar privilege should be conferred on the other party. The landlord under the Act as it stands has the power to apply for eviction and sale of the land when the economic conditions are favourable to him. All that we ask is that a similar permission should be given to a tenant to seek redress in a court of law when the same conditions are favourable to him.

"I have now disposed of three of the six points raised. Of the remaining three one is simply that the value of the land directly enhanced by the activities of the city fathers like my friend Mr. Natesa Mudaliyar should not be taken advantage of to enrich the owner of the land. Another is that while the landlord has the power under the law to have his rent increased, there is no provision under the law by means of which the tenant can obtain redress by a reduction of rent where the price of land has fallen.

"Hon. Members are no doubt aware that the price of land at present has fallen considerably and yet these poor tenants are continuing to pay the rent that was fixed when the market value of the land was high and land was difficult to obtain.

"The last point I have to refer to is merely one to correct an inaccuracy in the definition of the word 'improvement.' 'Improvement' at present includes only the superstructure and the trees. There is no earthly reason why a tenant who plants trees in his backyard and gets their value while vacating the site should be deprived of a similar benefit if he converts a swamp into a habitable place or cuts shrubs and prickly-pear and makes a place habitable or puts up a fence round his borrowed site or digs a well for the benefit of the permanent owner of the site.

"Hon. Members will thus see that the amendments proposed are largely unambitious and such as will command universal acceptance.

"I am aware, however, Sir, that a petition signed by Mr. Narayanappa Nayal and some others has been in circulation for some time and several of the Hindu Members of this Council are aware of it. I need hardly traverse the allegations contained in it as most of them are just as valid objections to the existing Act itself. There is one point there however to which I must refer and that is the objection of the signatories to the proposed amendment of not making the tenant with the value of the improvements effected by the City Corporation.

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"I have but to mention this objection for hon. Members to see the untenable nature of the objection. Take the case, Sir, for instance of Swami Naickencheri where my people incessantly through the Labor Department and otherwise have obtained for their electric corporation lights and metalling of the roads. If as a result of these civic activities, which mark you, Sir, characterise the tenant in occupation and not the absentee landlord, the value of the lands in the cheri goes up, why should the very promoters of civic amenities be punished by being asked to pay for the extra value? The signatories quote a proverb in their petition. I am tempted to quote another. Such a way of paralysing tenants who are active and ensure proper attention at the hands of the Corporation is to kill the goose that lays the golden eggs."

The hon. Sir C. P. RAMASWAMI AYYAR: "Mr. President Sir, I do not propose in any manner to oppose or even to offer any remark in regard to some of the wider questions that have been raised. I shall only lay before myself the task of elucidating one or two points and also endeavouring to show that the Bill is not quite as unambitious as the hon. the Secunder of the motion sought to make out."

"In the first place, I must congratulate the hon. the Mover of the Bill for his strenuous efforts and the trouble he has evidently taken in producing and bringing forward this Bill. If I make any observation at all, it will be only on three clauses of this Bill. The first is, in regard to clause 9 which relates to trust property and trustees. I may say at once as to this that neither on the part of the Government nor I hope, on the part of any one else in this House will there be any opposition. As a matter of fact it is high time that we should settle the trust property with other private property in regard to the nature of the rights and obligations between the landlords and tenants. And, therefore, with reference to that clause it may be taken that it is really non-controversial, as the hon. the Mover said it was. There are only two other matters to which I wish to advert. One of them is clause 4. The hon. Member Mr. Raja practically said that there was not much difficulty or controversy about this. But the position is this. If under the original Act III of 1923 clause 7 is read the object of the amendment contained in clause 4 of the Bill as now put forward to the Council will be clearly understood. The amendment sought to be made is that

"In section 7, after the words 'any landlord' the words 'or tenant' shall be inserted and after the words 'and need' the words 'or related' shall be inserted."

"It will thus be seen that this clause will give the tenants a right to apply to court for a reduction of rent. On this matter I may make one remark. The original Bill whatever at inception the origin of it might have been, is not a Bill which has as its objects or ideals the fixing of fair rents *per se*. It seems to me that it is a matter for careful consideration and investigation by the Select Committee whether the result or the effect of this amendment will not be to create a machinery for fixing fair rents. That seems to me to involve a big departure. I have just mentioned this so that at the proper time it may be considered whether or not a case has been made out for such determination of fair rents."

"Now, in passing, my hon. Friend Mr. M. C. Raja made one remark which, I believe, was also contained in the speech of the hon. the Mover. They said that the price of land was once very high. Now that the price of

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land had gone down very much, there is no reason in equity why the tenants should not have the correlative right to ask for reduction of rent. On that point it may be observed that the landlord might have something to say, namely, that in addition to the affliction caused by the low prices he will have also to be subjected to reduced rent. But it is a matter to be carefully weighed. By this legislation, if you are going to grant in the City of Madras a machinery for determining fair rents, the question will arise as to why that principle should not be extended to the mofussal, not only to houses but to other species of properties. However at this stage I will only say that the amendment itself is, if my hon. Friend will allow me to use the expression, very skilfully worded and apparently there is nothing in it that is revolutionary as stated by the hon. the Secretary. The effect however of the amendment, if accepted, would be that by reason of that enactment an agency will be created for the purpose of determining fair rents. In saying this I am only anxious that if the House shall legislate it should do so with the full consciousness of the result of the amendment.

"With regard to the other amendment, it is stated that the improvements made by the city municipality shall not be taken into consideration. As to the fundamental principle underlying the amendment I do not think there is much quarrel, but the difficulty will be to fix or determine a formula. I wish to put a definite case, supposing there is a piece of land and after twenty years from 1900 the real value of it. You must be in a position to ascertain yourself with the condition of property adjacent and outlying and also out how much the land has been affected by the improvements effected by the municipality in the course of its beneficent activities. Also the Corporation has not alone been responsible for these extraordinary improvements might have been due to exertions of people in the locality who have concentrated their energies. It seems to me therefore that, while I ought not to oppose any such provisions at this stage, I must point out that this is a formula which is bound to produce a certain amount of ambiguity and confusion when the respective liability of the landlord and tenant have to be worked out.

"With these observations I desire to say, in conclusion, as I did at the beginning, that the Government do not propose to oppose this Bill. But they wish to place before the House these considerations in the hope and the confident expectation that these matters will be carefully investigated by the Select Committee and that they might be able to arrive at an equitable decision."

* MR. SAMI VENKATACHALAM (OPPOSE):—"Sir, I am not prepared to oppose the Bill being introduced and referred to the Select Committee for consideration. I must state that I am handicapped by the fact that the Corporation of Madras to which this Bill was referred has not yet given its opinion in a resolution of the Council. But I may state that the Bill was referred to the Taxation and Finance Standing Committee of the Corporation of Madras, and their resolution on the Bill has been formulated in two or three propositions. It has been referred to the Council, but has not yet been discussed.

"It has been admitted by the hon. the Mover that the original Act itself was an emergent piece of legislation, intended for the time being to prevent

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scrupulous or unscrupulous landlords from evicting their tenants who have been long residents of those localities on account of the boom in the market value of the land between the years 1918 and 1920. I admit that it is the primary obligation of every local authority or local body to provide accommodation to the homeless and to the poor. If we had originally legislated the City Tenants' Protection Bill sacrificing to some extent the interest of the landlord we did it only to ward off the then evil of making the tenants homeless. I hope this House in its anxiety that the poor classes should receive the benefits should not do anything which will in the end affect the fundamental rights of the landlords. I do not wish the House to understand me that I do not appreciate the difficulties under which these poor classes live in the City of Madras. I would do everything in my power to alleviate their condition and to afford them houses, if I can possibly compel the Corporation to do so. Beyond that, Sir, I would hesitate to sacrifice the interests of the landlords in this matter. It seems to me quite necessary that the landlord's case should be properly heard; and before we consent to all or any of the amendments suggested here I would invite attention to the points I suggested. As regards temple lands there can be no difference of opinion, and this is the intention of the Government, as has been pointed out by the hon. the Law Member, to exempt those lands from the operation of this Act. But regarding the right of the tenant to make any improvements and compel the landlord to pay for those improvements at the time of eviction, it seems to me, Sir, that the matter must be carefully considered. It is not right to suppose that every tenant in these localities is poorer than every landlord. In fact there are some tenants who are perhaps richer than the landlords. It is not therefore a matter of principle to make the landlord pay for the improvements. I may say that in a private conversation, which I had with the hon. Member, Mr. Raja, he had no objection to limit the improvements to what is exactly necessary for living purposes as, for instance, the construction of a gutter and so forth; for in these cases the tenant can make the improvement and the landlord may be bound for compensation.

"With regard to the power of the tenant to apply to a court for the reduction of rent I never realized the seriousness of it until the Law Member explained it to us just now.

"I thought that if the landlord was given an opportunity to have the rent increased, in all fairness the tenant also would be given that opportunity; and instead of the tenant applying to the court undergoing all the worries of litigation, I thought the assessment of rent in those localities might be referred to any standing committee of the Corporation which is expected to be in touch with the market value of these lands. But since the hon. the Law Member has explained that an amendment of this sort . . ."

* The hon. SIR C. P. RAMASWAMI AYYAR:— "Is it suggested that the fixation of rents as between the landlord and the tenant should be committed to the Standing Committee of the Corporation?"

* Mr. SAMI VENKATACHALAM CHETTI:— "I do not think there is anything revolutionary in that. If the assessment of particular houses by the Commissioner of the Corporation of Madras could be referred to the standing

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committee on appeal and then to the City Civil Court, I do not see why in the matter of fixation of rent as between landlord and tenant the committee should not be endowed with those powers, apart from other powers. I do not think the hon. the Law Member said the members are incompetent to exercise those powers."

"The hon. Sir C. P. RAMASWAMI AYYAR:—"They are not fully generally competent but extremely businesslike; but they are not courts."

"Mr. SAMI VENKATACHALAM CHETTI:—"Yes; my object is to avoid courts as far as possible, to avoid lawyers as far as possible. I therefore want to substitute this committee for the court. But that is apart from the question that was raised. In view of the explanation of the hon. the Law Member as to the road to which this will lead if he accepts the amendment, I am unwilling to accept his opinion until the matter goes to the Select Committee."

"As regards the question of not taking into account the value of the conveniences or amenities rendered by the Corporation in assessing the value of the land, this amendment will lead to very serious deterioration. It is difficult to assess whether the improvements were rendered by the Corporation in the ordinary course of business or owing to the extraordinary taken by the Society for the benefit of the Depressed Classes by the tenant himself. Further, the principle that a tenant be compensated for and the improvements rendered by the Corporation of Madras leads us to the question whether the improvements rendered by the Corporation justly belong to the landlord or to the tenant. I am quite willing to accept that both the landlord and the tenant contribute to the finances of the Corporation. Though directly it is the landlord that pays the Corporation, in this case both directly and indirectly the tenant also pays to the Corporation. The tenant pays by paying rent of the land to the landlord and thereby enables the landlord to pay taxes. The tenant in addition pays taxes for the superstructure built on the land to the Corporation. You must also admit that the landlord also pays to the Corporation to enable it to make these improvements. When you yourself ask for reduction of rent on account of the depreciation of the market value of the land, you must also concede that the landlord should be compensated for the improvements made by the Corporation. Otherwise you will give the benefit in both cases to the tenant. You must either take up the whole responsibility for depreciation or appreciation of market value of land, or leave the entire responsibility to the landlord. In the matter of reduction of rent you will have to consider if the market value has decreased, and if so, the tenant is entitled for reduction of rent and you must also allow the landlord to get the benefit of the improvements when the locality has undergone on account of various causes. After all, it must be borne in mind that these landlords were the first to give shelter to the shelterless, and it would be really cruel to treat all the landlords on the same level. It may be in one or two instances they want to get as much money as possible by way of rent, but that cannot be applied to all landlords. I know instances where clerics do not pay even as little as 2 or 3 per cent of the investment."

"With regard to the provision enabling the tenant to move the court to compel the landlord to sell the land he occupies, I can only repeat the

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words of Mr. Boag who was Commissioner of the Corporation in expressing his opinion on this point. 'It seems to be monstrous to say that the tenant without any provocation from the landlord can force him to sell any portion of his land.' It is really monstrous, and I hope the hon. the Mover and the Supra. will see the other side of the question also. On one side of the land, there may be a number of tenants and it may strike one tenant to ask the landlord to sell this part of land. If the tenant is enabled to get this land sold to him, what will be the effect of parting away with a portion of land upon the rest of the land. I cannot now discuss the propriety of trying to confiscate property from one hand and transferring it to another. It seems to me that all this may be euphemistically called acquisition of occupancy rights, but on that account we must not make the landlord suffer and compel him to sell his land to any tenant. After all, I am afraid whatever it is the tenant that will ultimately be benefited. I can conceive of instances in which a money-lender or sowcar may come in the middle may negotiate with the tenant and compel the landlord to sell, so that the land may pass from one landlord to another resulting in injury greater to the tenant from the latter. As I said at the beginning, I do not want to oppose the introduction of this Bill or its being referred to the Select Committee. I only wish that these points should be very carefully considered and, if necessary, the evidence of the landlords be taken and all care taken to protect the rights of both the landlord and the tenant. If there are really difficulties in the way of a tenant being allowed to settle peaceably on the land which he has occupied for a long time, they ought certainly to be removed when the Bill goes before the Select Committee."

"Diwan Bahadur M. KRISHNAN NAYAR.—"At this stage, I wish only to refer to two features in the Bill, and both these features have been referred to practically by all the speakers who have preceded me. The first point that I wish to refer to is the revision of rent. It has been said by the hon. the Mover and the Secunder that in the revision of rent, inasmuch as power is given to the landlord to enhance the rent, a similar power for reduction of rent should also be given to the tenant. It seems to me that the principle advocated by both these hon. Members is an equitable one, and the principle has been recognized in other statutes also. My Friend, Mr. Venkatachalam Chetti, referred to the agency for the reduction or enhancement of rent. If I understood him correctly he stated that either the Corporation or the Standing Committee might be entrusted with this duty and responsibility. It seems to me that the best agency for considering the reduction of rent is also the agency for considering the enhancement of rent. If the court has been considered the proper agency for enhancement of rent, the court, I submit, is also the proper agency for reduction of rent. It is only a mutuality of rights and it seems to me that nothing can be said against this."

"The other point that I wish to refer to at this stage of the question relates to improvements. My hon. Friend the Law Member did not refer to this aspect of the question at all, but my Friend Mr. Venkatachalam Chetti has in a measure objected to extending the Bill with reference to improvements. As it is, the Bill recognizes only the value of certain improvements. It seems to me that all improvements should be recognized as such. With reference to that, there is no difficulty whatever. The hon. the Mover of the Bill has brought in a definition of the word 'Improvement.'"

[Mr. M. Krishnan Nayar] [21th August 1925]

What he says is this 'Improvement' includes all those kinds of work which add to the value of a building and these works must also be suitable to the holding and also calculated to enhance the rent of the holding."

* The hon. Sir C. P. RAMASWAMI AYYAR:—"As some advance has been made to the question of improvements, I may at once say that the Government are in favour of the definition as put forward by the hon. the Mover."

* Diwan Bahadur M. KRISHNAN NAYAR:—"I am very glad to hear that; I need not go further. With reference to other matters as my friend Mr. Sami Venkatachalam Chetti rightly pointed out, those things also may be considered in the Select Committee. With these observations I support the introduction of the measure."

* Mr. R. VERRIAN:—"I have to make a few remarks because this is a poor man's Bill."

* The hon. the DEPUTY PRESIDENT:—"No body is opposing it; you can make your opinion felt in the Select Committee."

* Mr. R. VERRIAN:—"I want to say a few words to make certain remarks made by previous speakers."

"Sir, I am a staunch supporter of the Bill which will do good to the poor people. Taking this Bill as one matter, I beg to submit that this is a poor man's bill and therefore I don't back it. I am quite convinced that this Bill is not at all going to take away the vested rights of the landlords. Sir, we see even birds and other winged beings want to have freedom and liberty. Such being the case, is it not right to extend the same freedom and liberty to our own class of people who live on their own land? The hon. Mr. Venkatachalam Chetti said that in 1848 we gave shelter to the poor tenants. It was because the lands were lying idle, because they were barren and there was nobody to occupy them, the landlords themselves voluntarily asked the tenants to occupy their lands and on their occupying such lands and paying them rents they became very rich. By that, Sir, can they kill these poor shelterless people?"

* Mr. SAMI VENKATACHALAM CHETTI:—"I never suggested that."

* The hon. the DEPUTY PRESIDENT:—"He never suggested that they should be killed."

* Mr. R. VERRIAN:—"These shelterless people help the landlords in times of danger. Therefore, are they not right in getting something from the landlord? Taking that point into consideration, I strongly support the Bill."

The motion that the Bill be read in Council was put and carried. The Secretary read the title of the Bill.

12-50 p.m. Mr. L. C. GURUSWAMI:—"Sir, I beg to move that the Bill be referred to a select committee consisting of the following gentlemen:—

The hon. Sir C. P. Ramaswami Ayyar,
Rao Bahadur O. Tallichalam Chettiya.,
" C. Natesa Mudaliyar,
Mr. Sami Venkatachalam Chetti,
The Advocate-General (Mr. T. R. Venkatarama Sastriyar),

21st August 1925]

produced in the protected area for re-export nor will ^I_{we} allow it to be re-exported under a misdescription;

(3. to return the said licence on expiration of the period for which it is granted to the licensing authority together with such details as he may require as to the ^{cotton}
tons
cotton seed
waste imported under it and of its subsequent disposal.

Dated
at

Signed

Instructions.

(a) The Cotton Transport Act does not impose any general restriction on cotton transport but only on transport into specified areas (notified by local Governments for protection) from stations outside those areas. Each notification includes a schedule of railway stations in the protected area to which it refers. Licences are only required for consignments situated within the limits of a protected area. Licences granted under the Cotton Transport Act are available for the importation of cotton from anywhere in India but only to the stations specified.

(b) Cotton, as defined in the Act, includes ginned cotton, unginned cotton (kaps), cotton seed and cotton waste, but separate licences are required for each. Separate rules are also in force for the importation into protected areas of cotton by road, river or sea.

(c) Stationmasters or other railway servants responsible for the booking of goods or parcels at all stations in India are *empowered* by section 4 of the Act to refuse to book cotton to a notified station in a protected area unless a certified copy of the licence is handed in when the cotton is tendered for booking. Each consignment requires a separate certified copy which will accompany the railway invoice to destination.

(d) Stationmasters or other railway servants responsible for the receipt and delivery to the consignee of goods and parcels at notified stations are *required* by section 5 of the Act to refuse delivery of cotton from outside the protected area (which is defined by a list of stations) unless accompanied by a certified copy of the licence (or unless the original licence is produced).

(e) Paragraph 2 in the application form corresponds with condition (b) of the licence the object being to safeguard the protected area against the misuse (which might be quite unintentional) of cotton imported under licence.

(f) The protected areas notified in the Madras Presidency are those contained in Government Notification, Development Department, No.

[Dr. C. Natesa Mudaliyar] [24th August 1925]

sub-section (3), shall be in force for a period of ten years from the date of such determining and may be revised by the Commissioner at the termination of such successive periods of ten years."

Rao Bahadur M. C. RAJA :—"I second it."

* The hon. the RAJA OF PANAGAL :—"I think, Sir, that this Bill deals with the same subject as the hon. Member Mr. Sami Venkatachalam Chetti's Bill does. But as I have stated, the policy of the Government is, generally speaking, not to oppose motions for leave for the introduction of Bills. I should however like that the hon. Member does not make his motion. If he moves, I do not propose to oppose the motion."

* Mr. SAMI VENKATACHALAM CHETTI :—"Sir, I wish to make a personal explanation. It was suggested to me that my motion might be withdrawn in view of the fact that the Corporation itself was instituting a committee to suggest all comprehensive amendments and, in deference to the request made by the Secretary to the Local Self-Government Department, I begged of you to allow me to withdraw my Bill. Now, my hon. Friend, Dr. Natesa Mudaliyar, is dealing in his Bill only with one of the many amendments which I have sent in for incorporation in the Bill and even that amendment of Dr. Natesa Mudaliyar as I will be able to show, does not satisfy our requirements. Hence, as it has been said, nothing will be lost by withdrawing this motion. Necessary amendments to the Bill may be passed in the October session."

Rao Bahadur C. NATESA MUDALIYAR :—"I beg leave to withdraw my motion."

The motion was by leave withdrawn.

VIII

A BILL TO AMEND THE MADRAS DISTRICT MUNICIPALITIES ACT, 1920, AND THE MADRAS LOCAL BOARDS ACT, 1920, OF MR. V. PANTULU AYYAR.

* Mr. V. PANTULU AYYAR :—"Under Stanley Order No. 38 I beg leave to introduce a Bill to amend the Madras District Municipalities Act, 1920, and the Madras Local Boards Act, 1920. Sir, this is a Bill for the introduction of which this honorable House was on a previous occasion pleased to grant leave. The main object of this Bill is to amend sections 45 c, 46 (1) and 52 of the Madras Local Boards Act. The Act as it stands makes the payment qualification the *sine qua non* for eligibility to vote at municipal elections. The one object intended to be served by this Act could only have been to facilitate the collection of municipal dues by holding out payment before a certain period, i.e., before the end of the financial year, as an incentive to possessing elective franchise. But in practical administration this object has not been attained as may be found from various Government reports which show that there has been always a large amount of uncollected taxes in various municipalities. This non-collection is due to the utter indifference shown by most of the municipal councils in the matter of collection. Moreover, elections occur only once in three years for each ward, so that payment qualification even if useful will serve only in the case of a fraction of the tax-payers, and will not serve the purpose for which it is

^a Published in the Fort St. George Gazette, Part IV, dated 2nd March 1926.

A BILL TO AMEND THE MADRAS DISTRICT MUNICIPALITIES ACT, 1920, AND 597
THE MADRAS LOCAL BOARDS ACT, 1920, OF MR. V. PANTULU AYYAR

24th August 1925]

[Mr. V. Pantulu Ayyar]

intended. It often serves to defeat its own end, because it serves as a handle in ingenious hands to bring down the voting strength of elective wards to a minimum point. The Government reports themselves admit that the electoral rolls are not prepared in strict conformity with the provisions of the Act. Many sitting members of municipalities have not paid their taxes and many voters find their names in the electoral rolls even though they have not paid their taxes at all. In a recent meeting of the Madras Corporation, this same anomaly was referred to. The then President who is now on the Treasury Bench—I mean the hon. Khan Bahadur Usman Sahib—was pleased to support it and he said that whereas for the electorates of the Legislative Councils and Assembly no such qualification was necessary it was an anomaly that such a qualification should be thought necessary for municipal and corporation elections alone. Mr. Sundara Rao Nayudu, a member of the Justice Ministerialist party in the Corporation, said that it was an anomaly that even a tenant was allowed to vote, whereas a landlord who did not pay a rupee did not find his name in the voters' list. In the Corporation this was unanimously passed. In the case of local boards, the section is inoperative as the tax-collecting agency is the Government and elections do generally come off only once in three years. This is not a party question. The Act, as it stands, serves only to defeat its end, and instead of educating the electorate to an extended franchise, it only serves to restrict it. Already the electorate is too narrow and even a proper working of it is restricted with conditions operating heavily against the growth of citizenship. I beg to commend this motion to this Hon. House for leave that it be read in Council."

Mr. SAMI VENKATACHALAM CHETTI:—"I second it."

The hon. the DEPUTY PRESIDENT after a pause for a minute or two, noticing no Member rising to speak on it, said:—"I will now put the motion to the House."

The motion was put and declared carried and permission was granted to read the Bill in Council.

* The hon. the RAJA OF PANAGAL:—"Sir, I have not spoken on this motion."

SHRI M. SASIBHUSHAN RATH Mahasaya:—"You, Sir, have already said that it be read in Council."

* The hon. the RAJA OF PANAGAL:—"Yes, Sir, I am going to oppose it."

* Rao Bahadur A. S. KRISHNA RAO PANTULU:—"I rise to a point of order, Sir. When once you have declared the motion carried, the hon. Minister can take only some other ways by which he can oppose the Bill."

12 45 p.m.

* The hon. the DEPUTY PRESIDENT:—"But since the responsible Minister says that he has misunderstood the whole thing, I think it would be very generous on the part of the House not to take advantage of a mistake of the Chair or a mistake due to the silence of the Treasury Bench. I do not think that ours are the laws of the Persians and the Medes (roars of laughter). I must apologize to the House for having committed a mistake under a misapprehension."

[21th August 1925]

* Rao Bahadur A. S. KRISHNA RAO PANTULU —“ The House is perfectly willing to be as generous as possible. The only question is whether when you have declared a question carried, it is open to you to revoke it. Surely the hon. the Minister may take other opportunities to oppose the Bill. This is only the first reading of the Bill. The hon. Minister may oppose the third reading of the Bill and oppose the motion that the Bill be passed into law and thereby he may make it ineffective.”

* The hon. the RAJA OF PANAGAL:—“ I have no objection to that course. What I say is that there was no opportunity given to the Minister in charge to speak on the motion. The motion was not discussed; it was simply proposed and seconded.”

* The hon. the DEPUTY PRESIDENT:—“ I said that the Bill was moved and seconded. And according to the hon. Minister's practice of according approval for every measure hitherto introduced to-day, I thought he was not going to oppose it. (Laughter). The hon. Member in charge of the Bill will move for a Select Committee on the Bill and then it will be open to the hon. Minister to oppose the Bill and then there will be an end of the thing. They insist on technicalities; he is going to ask for a Select Committee and the hon. the Raja of Panagal may oppose it.”

* The hon. the RAJA OF PANAGAL:—“ I have no objection to adopt that course. The only complaint that I want to make is that there was a misunderstanding as to the motion itself. You said, Sir, that these benches generally gave their accord to the motions if it were made. Hitherto the motions made were all motions for leave. Because they were motions for leave we did not oppose; that, however, does not mean that we do not oppose any motion.”

* The hon. the DEPUTY PRESIDENT:—“ Some mistake was committed.”

Mr. M. RATNASWAMI:—“ May I ask for a point on this question ? ”

* The hon. the DEPUTY PRESIDENT:—“ I may point out one thing. The motion as printed is that the Member of the Legislative Council will introduce a Bill to amend, etc. I said that the Member of the Legislative Council probably wanted the Bill to be read in Council. My suggestion was adopted and the motion was moved. The Bill is not going to the Select Committee. Since the hon. the First Minister agreed to every motion that was brought forward, I thought I could put the motion to the House. What is the next step? I am in the hands of the House.”

* The hon. the RAJA OF PANAGAL:—“ I have no objection. Let the declaration stand. If the motion that the Bill be referred to the Select Committee is made, Government will oppose the motion.”

* The hon. the DEPUTY PRESIDENT:—“ Then this motion is carried. Is the hon. Member Mr. Krishna Rao satisfied?”

* Rao Bahadur A. S. KRISHNA RAO PANTULU:—“ It is not a question of my being satisfied. I fear we cannot lose sight of technicalities.”

The Secretary then read the title of the Bill.

* Mr. V. PANTULU AYYAR:—“ I move that the Bill be referred to a Select Committee consisting of”

24th August 1925] [Mr. Sami Venkatachalam Chetti]

words of Mr. Boag who was Commissioner of the Corporation in expressing his opinion on this point. 'It seems to be monstrous to say that the tenant without any provocation from the landlord can force him to sell any portion of his land.' It is really monstrous, and I hope the hon. the Mover and the Supra. will see the other side of the question also. On one side of the land, there may be a number of tenants and it may strike one tenant to ask the landlord to sell this part of land. If the tenant is enabled to get this land sold to him, what will be the effect of parting away with a portion of land upon the rest of the land. I cannot now discuss the propriety of trying to confiscate property from one hand and transferring it to another. It seems to me that all this may be euphemistically called acquisition of occupancy rights, but on that account we must not make the landlord suffer and compel him to sell his land to any tenant. After all, I am afraid whatever it is the tenant that will ultimately be benefited. I can conceive of instances in which a money-lender or sowcar may come in the middle may negotiate with the tenant and compel the landlord to sell, so that the land may pass from one landlord to another resulting in injury greater to the tenant from the latter. As I said at the beginning, I do not want to oppose the introduction of this Bill or its being referred to the Select Committee. I only wish that these points should be very carefully considered and, if necessary, the evidence of the landlords be taken and all care taken to protect the rights of both the landlord and the tenant. If there are really difficulties in the way of a tenant being allowed to settle peaceably on the land which he has occupied for a long time, they ought certainly to be removed when the Bill goes before the Select Committee."

"Diwan Bahadur M. KRISHNAN NAYAR.—"At this stage, I wish only to refer to two features in the Bill, and both these features have been referred to practically by all the speakers who have preceded me. The first point that I wish to refer to is the revision of rent. It has been said by the hon. the Mover and the Secunder that in the revision of rent, inasmuch as power is given to the landlord to enhance the rent, a similar power for reduction of rent should also be given to the tenant. It seems to me that the principle advocated by both these hon. Members is an equitable one, and the principle has been recognized in other statutes also. My Friend, Mr. Venkatachalam Chetti, referred to the agency for the reduction or enhancement of rent. If I understood him correctly he stated that either the Corporation or the Standing Committee might be entrusted with this duty and responsibility. It seems to me that the best agency for considering the reduction of rent is also the agency for considering the enhancement of rent. If the court has been considered the proper agency for enhancement of rent, the court, I submit, is also the proper agency for reduction of rent. It is only a mutuality of rights and it seems to me that nothing can be said against this."

"The other point that I wish to refer to at this stage of the question relates to improvements. My hon. Friend the Law Member did not refer to this aspect of the question at all, but my Friend Mr. Venkatachalam Chetti has in a measure objected to extending the Bill with reference to improvements. As it is, the Bill recognizes only the value of certain improvements. It seems to me that all improvements should be recognized as such. With reference to that, there is no difficulty whatever. The hon. the Mover of the Bill has brought in a definition of the word 'Improvement.'"

[24th August 1925]

* The hon. the RAJA OF PANAGAL :—“ Mr. President, Sir, the arguments advanced are not convincing. They are not sustainable. In the first place, Sir, to say that the rate-payers are not required to vote every year is not correct. Casual vacancies arise and the rate-payers may be required to elect their representatives for the particular ward. Besides, this principle is generally accepted. It is only those that have paid their dues that are entitled to vote in the elections. Otherwise even those who have not paid their dues will be entitled to record their votes. Moreover the acceptance of this principle will have an educative value. The very fact that the electoral rolls are being revised annually will make the people think about their franchise. Under these circumstances, I cannot allow the amendment proposed in the Bill. I object to the Bill being referred to the Select Committee.”

Mr. C. RAMALINGA REDDI :—“ Sir, I am quite surprised at the attitude taken up by the hon. the Minister for Local Self-Government. The position taken up in the Bill is this. If a man is assessed for certain taxes and it so happens that he has not paid the taxes, he should not, in addition to the liability to pay his taxes which can be enforced by the party concerned going to the law courts, be disfranchised. That is the real question and I hope my hon. Friend will view it in that light. I am not pleading for any special concession for anybody—either the party or any other parties. There is a liability and you can always enforce the liability by going to a court. But why do you in addition disfranchise the man by excluding him from the electoral roll? You do not find a condition of that kind in the Legislative Council rules.”

* The hon. the RAJA OF PANAGAL :—“ Sir, I just interrupt for a minute? There is no question of disfranchisement. It is only those who have paid the taxes that are enfranchised. Others are not. When they are not enfranchised, the question of disfranchisement does not arise.”

Mr. C. RAMALINGA REDDI :—“ My hon. Friend is logically correct. But a person who has been assessed to a certain amount is entitled to be included in the electoral roll for the Legislative Council whether he has paid all the taxes or not, simply because there are other ways by which the Government can recover the dues. I do not think that this additional penalty, viz., depriving him of his vote and thus bringing down his political status also, must be added to it. As I said before, it is not a party question. What already exists in the rules and regulations relating to the Legislative Council elections is sought to be extended to the local boards and the municipalities.”

Mr. P. ANJANAYULU :—“ Sir, I am somewhat surprised that the hon. Minister has taken the view which he has taken this morning over this question. The working of this Act in the mufassal has caused a good deal of hardship. I can quote a number of cases where a man who has been assessed for Rs. 400 and Rs. 500 is not included in the list simply because he has not paid one or two taxes of such small sums as 4 annas or 8 annas as animal tax or vehicle tax. Though he has paid all the other taxes, his name is not included simply because he has not paid 4 annas or 8 annas, a small tax. In some municipalities people take advantage of this and they are unscrupulous

[18th August 1925]

A.—(a) & (b) Land assigned to ex-service men is liable to resumption by Government in case of alienation by way of sale, gift mortgage or lease in perpetuity within ten years from the date of the grant. Similarly, lands assigned to depressed classes are subject to resumption if alienated at any time in the manner above described except to other members of the same class. A lease other than a perpetual lease is a method of enjoyment which is not forbidden by the terms of the grant.

Assignment of lands to an Adi-Dravida in Gadivattam taluk

* 19 Q.—MR. R. VEERIAN: Will the hon. the Member for Revenue and the hon. the Home Member be pleased to state—

(a) whether the Government are aware that an Adi-Dravida of Amlur, Vedamakkam, applied to the Revenue Divisional Officer, Tirupattur, and the Collector of North Arcot for the assignment by darkhast of lands, survey Nos. 342 and 343 in the village of Ealur, Gadivattam taluk, on 5th February 1923 and several times afterwards;

(b) whether it is a fact that the Tahsildar of Gadivattam taluk declined to assign the said lands to the petitioner in question;

(c) whether it is a fact that the Government have ordered the Kammavaya Nayudu, is now permitted to cultivate the lands mentioned above and that they will be soon assigned to him; and

(d) if the Government have no information with reference to clauses (a), (b) and (c), whether they will be pleased to call for the information?

A.—(a), (b) & (c) The Government do not know whether or no the facts are as alleged in the question.

(d) As the darkhast rules provide for an appeal and also in certain circumstances for revision, the Government do not propose to intervene at this stage.

MR. R. VEERIAN:—"With reference to answer to (a), (b) and (c), may I know if there is any difficulty in calling for the information? If so, what are the difficulties?"

The hon. Mr. N. E. MARJORIBANKS:—"The only difficulty is that this matter is subject to an appeal in the ordinary course. In the existing state of affairs the Government do not wish to interfere."

MR. R. VEERIAN:—"I have not heard a word of the reply, Sir."

The hon. Mr. N. E. MARJORIBANKS:—"The reason, Sir, is given in clause (d) of the answer."

Alleged auctioning of lands reserved for depressed classes.

* 20 Q.—MR. R. VEERIAN: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is the practice to exhibit a copy of the list containing darkhast lands available for assignment to the depressed classes in all the village chavadis and in taluk offices;

(b) why lands intended for assignment to the depressed classes are generally being auctioned; and

(c) whether the Government are aware of such instances?

[Mr. A. Ramaswami Mudaliyar] [24th August 1925]

them. How are you going to remedy them? Not by saying that all those who are liable to be assessed should be put on the electoral rolls as being eligible for exercising their franchise, because it leads to another evil which you did not at all contemplate. We can very easily meet this difficulty. You and I have got the same object. We want to see that these electoral rolls must show the name of everybody who has got a right to exercise his franchise and none else. Therefore let us think of a method by which this work can be done without complaint. I give an easy solution which I think would meet the difficulty that I have pointed out—I am not putting this as the solution of a party of this House—and that is, instead of leaving the preparation of the electoral rolls in the hands of the municipal councils a certain member or a set of persons should be asked to undertake the preparation of these electoral rolls. I mean to say that its preparation should be left in the hands of those who cannot by any possibility manipulate these electoral rolls to suit their own purpose."

* Mr. SAMI VENKATACHALAM CHETTI:—"This amendment does not affect the position taken up by the hon. Member."

* Mr. A. RAMASWAMI MUDALIYAR:—"It does, in this way. We shall see what is the basis for this Bill and what is the justification under which Mr. Pantulu Ayyar brings forward this amendment. He wants an agency to avoid all the evils which I have been trying to explain to the House. He knows there are persons who have been excluded from the list for no fault of theirs. In order to avoid this evil, Mr. Pantulu Ayyar says that all persons who are liable for payment of taxes should be entered in the electoral list. I know of a case where the previous electoral roll contained 4,000 persons, while the revised roll showed only 1,500, the remaining 2,500 persons belonging to a certain party. Legally speaking, the authorities under the existing law have a perfect right to do what they can. I therefore venture to think that it would be better to have an extra municipal authority to prepare these electoral rolls, to scrutinize them, to hear objections, and to allow names to be included afterwards, if necessary. That suggestion might be taken up by the Government and incorporated in the amending Bill which has been put forward."

* Mr. V. PANTULU AYYAR:—"I never imputed any motives to anybody in presenting this Bill. What I wanted to safeguard against was that if people by an accident or neglect of the municipal authorities failed to pay on the 31st March, or even if they did pay a day after, or a fraction of the amount was not paid, their names should not be left out of the electoral roll. Of course, it cannot be proved by any Government records that after five years' working of this Act the collection of taxes has been facilitated by making payment qualification as a condition precedent for getting qualified as a voter. In a recent petition addressed by the people of Tiruvadi, they state that out of 10,000 people, there are 2,000 persons who are qualified to vote and out of these only some 300 were included in the list. The object of the Bill is to prevent chances for corrupt practices in election to municipalities and other local bodies and also to afford a clear opportunity to people to get their civic consciousness developed as far as practicable under this Act. Such complaints are numerous in many local bodies and more specially so in municipalities."

**A BILL TO AMEND THE MADRAS DISTRICT MUNICIPALITIES ACT, 1920, AND 603
THE MADRAS LOCAL BOARDS ACT, 1920, OF MR. V. PANTULU AYYAR**

24th August 1925]

The motion that the Bill be referred to a Select Committee was put and declared carried.

A poll was demanded and the House divided as follows:—

Ayes

- | | |
|---|--|
| 1. Mr. B. Obalesappa. | 16. Rao Sahib U. Ramu Rao. |
| 2. " C. Ramalinga Reddi. | 17. Mr. G. Ramaswara Rao. |
| 3. Rao Bahadur A. S. Krishna Rao Pantula. | 18. Sriman Sasibhushan Rath Mahasaya. |
| 4. " T. A. Ramalinga Chettiyar. | 19. Mr. M. R. Seturathnam Ayyar. |
| 5. Mr. K. Uppu Sahib. | 20. Rai Bahadur T. M. Narasimhaiah. |
| 6. " A. Ranganatha Mudaliyar. | 21. Mr. T. M. Narayanaswami Iyengar. |
| 7. " T. Adimarayana Chettiyar. | 22. " Abbas Ali Khan. |
| 8. " P. Anjaneyulu. | 23. " Ghouse Mian Sahib. |
| 9. Sriman Bishwanath Das Mahasaya. | 24. " B. P. Seshu Reddi. |
| 10. Mr. A. Chidambaram Nadar. | 25. " R. Srinivasa Ayyangar. |
| 11. " C. Gopala Menon. | 26. " Sami Venkatasubramanian Chetty. |
| 12. " K. Koti Reddi. | 27. " C. V. Venkatasubramanian Ayyangar. |
| 13. " C. Maruthavanam Pillai. | 28. " Y. C. Vellagiri Gounder. |
| 14. " Moosa Sait. | 29. " B. Venkataratnam. |
| 15. " V. Pantulu Ayyar. | |

Noes.

- | | |
|---|---|
| 1. The hon. Sir C. P. Ramaswami Ayyar. | 24. Mr. R. Madanagopal Nayudu. |
| 2. " Mr. N. E. Marjoribanks. | 25. " V. Madhava Raja. |
| 3. " Khan Bahadur Miranunad Usman Sahib Bahadur. | 26. " T. M. Desappa. |
| 4. " Mr. T. E. Moir. | 27. " P. N. Marthandam Pillai. |
| 5. " Diwan Bahadur T. N. Sivasubramanian P. Nair. | 28. Rao Bahadur O. M. Narayana Nambudiri. |
| 6. " Rao Bahadur Sir A. P. Patro. | 29. Mr. K. Prabhakaran Tampian. |
| 7. " the Raja of Panagal. | 30. " K. Raghuchandra Ballal. |
| 8. Mr. G. T. Boag. | 31. " G. Premayya. |
| 9. " G. T. H. Braeken. | 32. " B. Ramachandrase Reddi. |
| 10. " Abdulla Ghata's Sahib. | 33. Honorary Lieutenant Madurai. |
| 11. " S. Arundhaswami Udayar. | 34. Diwan Bahadur M. Krishnan Nayar. |
| 12. Rao Sahib F. C. Tangavelu Pillai. | 35. Mr. P. C. Rajan. |
| 13. Sir K. Venkatarreddi Nayudu. | 36. Rao Bahadur P. Ramana. |
| 14. Rao Bahadur C. Natesa Mudaliyar. | 37. Mr. P. Sagaram. |
| 15. " M. C. Raja. | 38. " R. Srinivasan. |
| 16. Mr. P. K. S. A. Arundhaswami Nadar. | 39. " M. Ratanaswami. |
| 17. " A. Ramaswami Mudaliyar. | 40. " K. Suresh Reddi. |
| 18. Diwan Bahadur P. C. Ethirajulu Nayudu. | 41. Rao Sahib P. V. S. Sundaramurti. |
| 19. Mr. N. Devendran. | 42. Mr. R. Veeram. |
| 20. Rao Bahadur Cruz Fernandez. | 43. Diwan Bahadur W. Vignayagaya Mudaliyar. |
| 21. Rao Sahib P. V. Gopalan. | 44. Mr. K. Venkatasubramanian Patnayakhi. |
| 22. Zamindar of Kollukote. | 45. " Mohan Sahib. |
| 23. Rao Bahadur K. Krishnaswami Nayudu. | 46. " Abdul Wahab Sahib. |

29 voted for the motion and 46 against.

The motion was lost.

Mr. C. RAMALINGA REDDI:—"May I take it that the third reading of this Bill will be taken up at the next sitting?"

1.15 p.m. The hon. the DEPUTY PRESIDENT:—"I cannot say anything now. I will give my considered opinion later on. The hon. the Law Member will explain the situation." (Laughter).

* The hon. Sir C. P. RAMASWAMI AYYAR:—"Mr. Deputy President, Sir, I was not here when the ruling was given from the chair, but I take it there was a misapprehension as to what had actually transpired and what the vote of the Council was. I take it that it is open to the hon. the

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President or Deputy President, occupying the chair, if there was a general misapprehension as to a particular event occurring, to say so and to go back to the stage prior to the occurrence of that event. But now, I am afraid the position has been complicated by the vote that has been taken and, if I may respectfully urge, Sir, I suggest that the matter may be considered and your ruling may be given to-morrow or the day after."

* The hon. the DEPUTY PRESIDENT:—"There was a misapprehension, and I wanted to go back, but the opposition with one united voice have stuck to the technical error. So, I thought we had better pass on and bring it to this deadlock." (Laughter.)

Mr C. RAMALINGA REDDI:—"Mr. Deputy President, may I, on a point of order, explain" (Cries of "Order, order").

* The hon. the DEPUTY PRESIDENT:—"I shall give my considered opinion to-morrow, after consulting the hon. the Law Member. The subject must not be prolonged now."

Mr. C. RAMALINGA REDDI:—"Are we not entitled to be consulted, Sir?"

Rai Bahadur Sir K. VENKATACHANDRAN:—"Obey the chair."

Mr. C. RAMALINGA REDDI:—"I have spoken."

IX

A BILL TO AMEND THE MADRAS LOCAL BOARDS ACT, OF MR. G. LAKSHMISWARA RAO.

At this stage Sriman SASIBHUSHAN RAO Mahasayo, one of the panel of chairmen, took the chair.

* Mr. G. LAKSHMISWARA RAO:—"Mr. Chairman, Sir, I beg to move for leave to introduce a Bill to amend the Madras Local Boards Act, 1920. My amendment is, in the main, as follows:

'At the end of the proviso to section 51 add the words "or a village karnam".'

"The section as it stands runs thus:

'No person shall be qualified for election as a member of a taluk or union board unless the name of such person appears on the electoral roll of the taluk or union board concerned.
(2) No salaried officer of Government shall be qualified for election as member of a local board: provided that this prohibition shall not apply to the village headman.'

"The object of my amending Bill is to put the village headman and the karnam on the same uniform basis. In fact, I tried to put a question on this point and obtain an answer from the Government as to why this distinction was made. It is question No. 721 put at the meeting held on 13th October 1924. The question was whether any difference existed as regards"

Sriman SASIBHUSHAN RAO Mahasayo (from the Chair):—"Order, order. The hon. Member will note that, under Standing Order 37, he need not make any explanatory statement now. If his motion is objected to, he may make such a statement."

* The hon. the RAJA OF PANAGAL:—"Sir, there is no objection on the part of the Government for leave being granted."

The motion was put and carried and leave was granted to introduce the Bill.

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X

A BILL TO FURTHER AMEND THE MADRAS DISTRICT MUNICIPALITIES ACT, 1920, OF MR. U. RAMA RAO.

Rao Sahib U. RAMA RAO:—"Mr. Chairman, Sir, in deference to the wishes of my Muhammadan friends, I intend introducing a more comprehensive Bill at the next session of the Council which is acceptable to Muhammadans, Christians and Hindus alike. So, with your permission I beg leave to withdraw the motion next in the agenda which is standing in my name."

The motion was accordingly not made.

XI

MOTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

APPOINTMENT OF MEMBERS OF THE LEGISLATIVE COUNCIL TO LOCAL BODIES.

* Mr. G. RAMESWARA RAO:—"Mr. Chairman, the motion before the House and which I beg to move runs thus:

'That this Council recommends to the Government that all members of the Legislative Council should be appointed to be additional members of the local boards and municipalities within whose local jurisdiction they reside.'

"In the first place I must emphasize to the whole House that this is in no sense a party measure, because I know that some hon. Members of my own party are not satisfied with the way in which the motion is brought up, and at the same time I am mindful of the fact that some others on the other side of the House have accorded me their support. So it is not a party question at all, and so I request that it may be dealt with on its own merits. The main reason for which I bring forward this resolution is that it is very desirable that Members of this Council should be practically in touch with the local boards in the various districts, so that they may act as a sort of link between the local bodies in the mufassal and this Council here. It is very desirable that the events that happen here, the various remarks and criticisms on the local bodies, must be translated to the local bodies, and at the same time the defects in the working, their grievances and problems must be put forward here for solution and necessary action. It is with that idea that I have brought forward this resolution and not that the membership of a taluk board, union board or a district board or municipality would confer a greater dignity than the membership of the Legislative Council. It is not for the sake of the honour and dignity that local bodies are supposed to confer but for the sake of efficient discharge of the duties entrusted to these local bodies. One difficulty has been suggested, namely, that the fluctuating number of members in the Legislative Council is a great factor which makes the constitution a little difficult to work. I would contend that there is absolutely no difficulty at all, because whatever the number, in the Legislative Council may be for a particular district, whether it is two or ten, it does not matter because they do not affect the provisions of the Local Boards Act as it stands. This will mean another amending Bill, if the House now proposes to make such an amendment in the statute, to the effect that the number of members of the local bodies shall be such as is fixed in accordance with the Local Boards Act and the member or members of the Legislative Council for that area, would be additional members. So, it does not affect

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the maximum number provided for in the Act and there is no difficulty in the working of the provisions of the Local Boards Act. The other point made against this resolution is that it may tend towards asking for a sort of nomination and it may involve the slur that the man does not come by way of election. I submit it is a wrong construction put upon the whole proposal. The idea underlying this resolution is not that we must come through the back door; that will be the case with nominations which rest entirely on the will of the Executive. But this is the case of an enactment by means of which the Legislative Council gives sanction to the idea that its Members are entitled to be on the local bodies of the districts from which they come for the purpose of the proper transaction of business and proper translation of the measures, etc., that may be passed by this Council. Therefore, the slur which is intended to be attached to this motion to the effect that it would mean the seeking of membership of local bodies by a back door is not at all true or justifiable. So, I would suggest that this resolution may be accepted."

Mr. P. ANJANEYULU:—"Sir, I second the motion and in so doing I beg to submit that this cannot possibly be a party motion because it will be construed, if not in this House at least elsewhere, as a sort of joint conspiracy between both the parties and they can improve themselves on the local boards and municipalities. Well, Sir, it has got this great advantage, namely, that hon. Members of this House will come into direct touch and direct contact with all that is going on in their districts and would not, probably, put questions (which may perhaps be necessary sometimes or which may be perhaps unnecessary, sometimes) to the hon. Ministers as regards what is happening in their individual districts. It will give us also facilities for communicating to the local bodies whose areas some of us here represent what all is happening here so far as it concerns them. On the whole it will be a very wholesome sort of fear to have hon. Members of this House being present, if only they care to, at the local bodies' meetings and take such interest in local matters as they are generally expected to do, and in this way they can have first-hand information about the taluk boards, district boards and municipalities. In that view, I do not think that any hon. Member of this House will have cause legitimately to oppose this resolution. If at all any motion till now is of a self-pleasing or self-complacent nature, it is perhaps this. (Laughter.) So, Sir, if we can at once transform ourselves into members of local boards and municipalities in our respective areas, I for one see no reason why we should not do so."

The House then adjourned for lunch.

After Lunch (2-30 p.m.)

XII

DURATION OF THE COUNCIL SITTINGS.

* The hon. Sir V. P. RAMASWAMI AYYAR:—"Mr. Deputy President, may I, with your permission, know whether the hon. House will consent to an arrangement which I am suggesting largely in the interests of the House itself and because of the comparatively sparse attendance of the House? I do not mean to say that with regard to the resolutions there is not intense feeling

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The suggestion I am making is this : that if hon. Members will stop non-official business with to-day and finish official business to-morrow, Government will only be too glad to give three days for non-official business in October and if necessary give that non-official business precedence over Government business, so that there may be no ground for discontent. May I ask whether that meets with the approval of the hon. Members of this House ? ”

* Diwan Bahadur M. KRISHNAN NAYAR :—“ I am speaking only for myself in the few observations I am going to make. I also think I hope there are also some other hon. Members agreeing with me—that the arrangement suggested by the hon. the Leader of the House will be convenient if not to all the Members in any case to a large number.”

* The hon. Sir C. P. RAMASWAMI AYYAR :—“ It may not be possible to allot the first day of the meeting. The second, third and fourth days may be non-official days.”

* Diwan Bahadur M. KRISHNAN NAYAR :—“ I think it will be suitable. From the attendance of Members this morning and now, the interest of hon. Members seems to flag.”

* Rao Bahadur A. S. KRISHNA RAO PANDURU :—“ I quite realize that the attendance is not so good as it ought to be. So far as the convenience is concerned, I myself feel it will be more convenient. But so far as the other Members who have succeeded in getting their resolutions in the ballot are concerned, they attach much importance to their resolutions. Moreover, we have just reached only the first resolution. If necessary, I think it is better to consider this question some time later after we have dealt with some more resolutions and after consulting the convenience of these Members, because the next meeting is proposed to be held on the 28th of October. That means a further ballot which may not be convenient to those Members.”

* The hon. Sir C. P. RAMASWAMI AYYAR :—“ There is one way of avoiding that impasse. That is, the technical point about the ballot may be got over by some one moving that these resolutions may be adjourned to the 29th October, so that the Secretary to the Legislative Council will have no difficulty in tabling them as they are.”

* Mr. A. RANGANATHA MUDALIYAR :—“ I think the majority of us were generally of opinion till we dispersed for lunch that we would go on with the non-official work as arranged before. This proposal might well have been considered just before we adjourned for lunch. I think the majority are in favour of going on with the business.”

* Mr. C. V. VENKATARAMANA AYYANGAR :—“ As one of those who is opposed to that view, I think that if some satisfactory arrangement is come to, it will be more useful to go on with the business with a fully attended House than it is now.”

* Mr. K. UPPI SAHIB :—“ There are resolutions pertaining to certain urgent matters which we cannot afford to postpone, as for instance, the resolution relating to the Audamals affair.”

The hon. Sir C. P. RAMASWAMI AYYAR :—“ I may say that unless there is a consensus of opinion I do not propose to press my suggestion. If there is a large body of Members who want to go on with the business, I do not want to stand in their way.”

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* The hon. the DEPUTY PRESIDENT:—"I think we had better proceed with the business."

APPOINTMENT OF MEMBERS OF THE LEGISLATIVE COUNCIL TO
LOCAL BODIES—*cont*

* The hon. the RAJA OF PANAGAL:—"I am afraid, Sir, the resolution makes a somewhat inconvenient recommendation. I think if we are to accept that recommendation every one of us including yourself, Mr. Deputy President, will have to be members of the City Corporation. Already there are fifty members in the Corporation, and with these additional 127 members the Council of the City Corporation will be most unwieldy."

"Apart from that, I cannot understand why my hon. Friend who has given notice of this resolution is anxious to have all the Members of the Legislative Councils as members of the local bodies. Is it to secure any advantage to the local bodies, or is it to secure a personal advantage to the Members of this House? If it is the former, it ought to come from the local boards themselves. We have had so many conferences of the local bodies, and in none of these conferences has this suggestion been put forward. If it is for the advantage of the members, it is a different matter; it is open to them to stand for election and get themselves elected as members of the local bodies. The Members of the Legislative Council with the influence they command in their places are not in a position to secure election to local bodies. I do not think that the Government can accept this resolution."

"Besides, this resolution involves legislation. Is it worth while to change the law on the subject to give a few members seats on the local bodies? The claims of members from the represented communities have already been considered, and there are as many as 35 members who have been nominated for the local boards and 19 for the municipal councils. In these circumstances, Sir, I am afraid I cannot accept the resolution."

Mr. B. Venkataratnam then spoke in Telugu opposing the resolution.

* Mr. R. SRINIVASA AYYANGAR:—"Mr. Deputy President, oftentimes it has been my lot to oppose the hon. the Minister. But on this occasion I am inclined to agree with him. In the text of the resolution, I see unmistakeable signs of revolt and protest against the manner in which nominations are made (1) by the hon. the Minister so far as his nominations are concerned, and (2) by the presidents of district boards in regard to nominations in their charge. So far as the resolution goes, it *ex facie* seems to be impracticable and unworlable. It says, 'that this Council recommends to the Government that all Members of the Legislative Council', and therefore includes the official block, the Government Members. I should like to know whether the official Members of the House would attach themselves to certain corporations or local institutions. What about the irremovable Members of Government who are also *ex officio* Members of the Council and what about the Ministers and what about the other lot of official Members? The resolution goes on to say 'that all Members of the Legislative Council should be appointed to be additional members of the local boards and municipalities within whose local jurisdiction they reside.' No doubt, the point seems to be that so far as nominations are concerned the Ministers are putting in their own men in municipalities and district boards. That is a complaint which I am also prepared to substantiate if it comes to

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on the subject, as East has got towards the West except that the sun travels from one side to the other. I request that you will rule the amendment as quite out of order."

* The hon. Sir C. P. RAMASWAMI AYYAR: "Sir, I am half inclined to think that the hon. Member from Bellary moved his amendment only by way of dissent from the original proposal because it seems clear that Standing Order 32 is clearly against this amendment. 'An amendment must be relevant and within the scope of the subject matter of the clause or motion to which it relates.' The present amendment is not within the scope of the subject matter to which it relates and I request you, Mr. President, to declare it out of order."

* Mr. A. RANGANATHA MUDALIYAR: "In view of what has fallen from the hon. the Law Member I do not want, Sir, that we must be spending our time over an amendment which is out of order. I, therefore, withdraw my amendment."

The original resolution was put to the House and lost.

EDUCATIONAL FACILITIES IN THE CEDED DISTRICTS.

* Mr. K. KOTI REDDI:—"Mr. President, Sir, I beg to move—

'That this Council recommends to the Government that the Government will be pleased to increase the amount spent on education in the Ceded districts.'

"In doing so, it is unnecessary for me to take up the time of the House because it is a fact that Ceded districts are educationally very backward and their backwardness has been used by one department of Government at least as an argument for depriving the districts of the privilege which they legitimately had claimed. So, I need not say more than what is strictly necessary for the purpose of this resolution. Sir, the districts are really very backward both from the point of view of elementary education and higher education as well. But I find from the statistics that so far as primary education is concerned Ceded districts compare favourably with some other districts although the general average for the whole Presidency is very much low. But with regard to higher education, secondary education and collegiate education, the hon. the Minister for Education must admit that we are very backward.

"I have a list of high schools in my district as well as in the other districts and I find, Sir, that the proportion is really appalling. 3 p.m. Whereas a district like Coimbatore has 9. . . ."

Mr. C. RAMALINGA REDDI:—"How many Government and how many aided?"

* Mr. K. KOTI REDDI:—"I shall come to that. Whereas a district like Coimbatore has 9 schools, Vizagapatam 11, Madras 22, Chittoor 7, North Arcot 13, South Arcot 8, Madura 1, etc., in the Ceded districts, in Kurnool there are only 4, Bellary 5, Anantapur 4, and Cuddapah 4. As to colleges, except the Government College at Anantapur there is none else. Having these facts in view it must be admitted that these districts require help and that higher education should be extended. There is not

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even a medical school for the whole of the district and not one engineering school nor a commercial school. Probably there is an aided industrial school in Karnool. An agricultural school is to be established at Kalahasti which has nothing to do with Ceded districts and which is intended to serve also those districts. That is the state of affairs in our districts.

"I am not however so unreasonable as to say that these districts ought to have one college. It is much better to spend money on a few well-developed colleges rather than start many colleges and keep them starved. I believe that if there are some more second grade colleges in some of these places it would be of help to these Ceded districts.

"It has been asked how many of them are aided and how many Government. They are certainly mostly aided schools, but it has been admitted that our districts are very poor. Government may say 'why not help yourselves?' The answer is that the districts are really poor. No doubt with the help of the hon. Member for Irrigation we might in the use of time be in a position to help ourselves. But now, we are not. Therefore, it is the bounden duty of the Government to come to our help in starting high schools and colleges in these Ceded districts. Even when compared with population I do not think we have our due share. I believe that aided schools everywhere get help from Government. In another connection I have to bring it to the notice of the Government that higher education is absolutely necessary. We must start a good deal, we must take out of the fact that Ceded districts are far poorer. The best way of trying to put an end to these facts is by extra education, mainly the higher education. The Government ought to spread University culture everywhere. If the Government is interested in seeing that these improvements are made they are bound to see that more schools and colleges are started.

"Now my resolution is quite general and I only expect the Government to give us increased facilities for education at least in the future. We were recently to have taken over one of the aided schools but when we asked the Government to help us with funds they refused to help the district board. I hope they would be pleased to review their decision. It was in connection with the Pulvina Ryots' High school. That fact showed that the Government was not willing to help us. There are, for example, two high schools in Karnool and the Government can have a second grade college there. If the Government is not in a position to start more high schools for girls they will at least see the one high school at present existing is well equipped. That will induce parents from outside to send their girls and get them educated in that school. For want of such facilities the pupils that will join these institutions would be small I hope they would start a hostel. I have nothing more to say."

Mr. K. SARABHA REDDI:—"I have great pleasure in seconding the motion. I won't say very many words in doing so. I see that the hon. the Minister for Education is going to visit the districts of Karnool and Caldappa and probably Anantapur. I am sure he will be convinced of the real need for additional funds. I strongly hope that he will come up with a grant and for this step he will have abundant proof of the poverty of the district."

* The hon. Rao Bahadur Sir A. P. PANDIT:—"Sir, there are certain amendments tabled for this resolution and I thought I could speak after the amendments have been moved. But since you have called on me to speak I shall do so."

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"I am very glad that the hon. Member, Mr. Koti Reddi, has drawn the attention of the House to the educational needs of the Ceded districts. I may assure him that these districts are always engaging my attention and the concessions which we have given in the case of Ceded districts, as I will be able to show presently, form a major portion of the expenditure on education borne from provincial funds. It has not been possible to earmark any portion of the provincial revenue for any particular district. The educational expenditure must vary with different districts. The provincial subsidies, the local finances and the private agencies are three considerations which contribute to the variation of educational expenditure of each district. In the case of the Ceded districts, out of 42 institutions the Government pay practically the whole cost of 34 institutions. There are three Government institutions and 31 full net cost institutions. If you take the condition of other districts you will find that the Government have not in any other case taken over full net cost institutions to the same extent as they have done in the Ceded districts. The Government are in fact doing all they can do.

"I will also show the figures for education have doubled themselves. In the case of the Secondary schools in 1920 it was only Rs. 94,630; at present according to the audit report for 1923-24 the expenditure is Rs. 1,86,962. It has therefore doubled itself in the last four years. 97 per cent of the total expenditure in the Ceded districts is borne from provincial funds.

"I quite agree with the hon. Member that these institutions spread over such a large area, are not quite adequate to meet the needs of the locality. But it is for persons of position and education of the type of the hon. the Mover to encourage private agencies and start schools and then when once schools are started and worked the Government could be asked to aid such institutions. I recognise that there should be such a demand. There are many ways of agitating for money when once the schools have been started. When a particular locality has expressed its desire to open new schools, and when institutions have been started, the Government are bound to come to their help under the rules in the Grant-in-aid Code. In the case of the Ceded districts, the Government have been doing their best. I would therefore appeal to every one interested in the advancement of education in the Ceded districts to take urgent measures to encourage the opening of new schools; then Government will do their duty and come to their help.

3-15 p.m. "But to open Government schools in a particular area, we have to depend upon the reports of the educational officer. Even after the reports are received, we may not be satisfied with the conditions for opening schools. If therefore non-officials co-operate and show that there is need for opening new schools, the matter will not at all be difficult.

"Then, with regard to elementary education, my friend has said that there has been advancement in that respect, so far as Ceded districts are concerned. In the Ceded districts, interpretation of section 37 of the Elementary Education Act has been very much relaxed in their favour. Where a local body or municipality has been raising an educational cess—not merely an equal amount—not less than an equal amount has been interpreted in their favour but much higher than an equal amount, is given, every such case is considered favourably by Government. In the case of some of the taluk boards in the Ceded districts which have raised the cess, the full amount necessary for opening schools and school areas was given to

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them. In the case of schoolless areas where the cess has not been levied, the aided agencies have now been encouraged to open up schools in those areas. In all other cases where the cess has not been raised, provincial funds have been bearing a major portion of the expenditure. And this principle will continue to be adopted until the ideal is reached, viz., that every village with a population of 500 or above has a school of its own.

"Therefore in answer to the question raised by the hon. the Mover I have to submit that Government have been doing its duty and would like to encourage as much as possible the expansion of elementary education in the Ceded districts. But the policy of Government, as the House knows, in the matter of secondary education, is not to take the responsibility on itself, but to encourage aided agencies as much as possible in opening high schools and in maintaining them. If in pursuance of this policy, aided agencies or private bodies take up the initiative in the matter and then come to the Government for aid, certainly concessions would be given in this area for special aid for maintaining the schools in their proper condition. If there are any applications from any source in the Ceded districts for the purpose of opening secondary schools, Government give them their sympathetic consideration, which they deserve."

* Mr. A. RANGANATHA MUGAIYAR.—"I beg to move the following amendment:—

"Add at the end the following —

"and to sanction for these districts grants equal to twice the amount contributed by the local bodies under section 37 of the Elementary Education Act."

"The resolution of my friend Mr. Kouloddi is too general, I think, Sir, to serve any useful purpose. I think in a way what the hon. the Minister has stated makes my position easy, because he recognizes the duty of the Government not only to promote secondary education but elementary education as well. He has said further, Sir, that so far as elementary education is concerned, he has given to the taluk boards an amount which is more than equal to the contribution paid by those taluk boards. If this is so, the hon. the Minister, I think, will have little objection to accept my amendment. The resolution, as amended, will read as follows:—'That this Council recommends to the Government that the Government will be pleased to increase in future the amount spent on education in the Ceded districts, and to sanction for those districts grants equal to twice the amount contributed by the local bodies under section 37 of the Elementary Education Act.'

"My proposal is not at all a new one. You may remember, Sir, that when you presided over the Local and Municipal Conference at Cuddapah, this question was raised at the time. The Director of Public Instruction, who was present at the time, recognized the equity of the claim made by the representatives of the Ceded districts and he conceded that so far as the Ceded districts were concerned the Government should contribute an amount not merely equal to but twice the amount contributed by the local bodies. So, I think, Sir, in view of the admitted equity of the claim, the hon. the Minister would be good enough to accept my amendment. I may tell him for his information that whatever be the grant he is now giving, it is not at all enough to keep the existing institutions going. I received only to-day a letter from the Harpanahalle taluk board teachers saying that the services

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of as many as 30 teachers were dispensed with, because the taluk board has not money enough to meet their pay. I hope therefore the hon. the Minister will accept my amendment."

Mr. B. P. Sesha Reddi seconded the amendment

* Mr. G. RAMESWARA RAO :—" Sir, I beg to move the following amendment:—

"Add at the end the following words—'and that the fee for girl students should be reduced to half of that charged for boy students all through irrespective of the class or caste to which they belong'"

"This is a matter which is not new. The Government have issued a Government Order that only girls in backward communities, who are also poor, should be given the concession of half-fees. As female education is as backward as it can be, it is only fair that girl students should be allowed to pay half the fee irrespective of class or caste. It is that proposal that I wish to incorporate in the resolution, and I request that it may be accepted.

"A word about the resolution as it originally stood. The learned Minister said that if there was any private agency for starting high schools he would consider their proposals favourably. I beg to submit that there are such proposals made, one from Uravakonda and another from Tadpatri. In fact, the people of Uravakonda have collected nearly Rs. 20,000 and want the Government to supplement it. I understand that similar proposals have been made by the Tadpatri Municipality also. So I request Government to consider these proposals and lend their helping hand to them. Therefore in supporting the original resolution I also move the amendment which stands in my name."

* Mr. T. ADINARAYANA CHITTIYAR :—" I second the amendment which has been moved so ably by my Friend Mr. Rameswara Rao. The Government have already recognized the policy of subsidizing these backward communities as regards school fees. Who can deny that girls are really much more backward than the backward communities whose cause my hon. Friend Mr. Veerian is so ably espousing in this House? Moreover, from one of the questions put by Mr. Rameswara Rao to-day, it would be seen that the girls' school at Anantapur is languishing for want of attendance. Government have spent large sums in engaging teachers and inspecting staff. It is because the students could not pay the school fees that the school, in spite of the best intentions of Government, is languishing. I would appeal to the hon. the Minister to accept and give effect to this amendment."

* The hon. Rao Bahadur Sir A. P. PATRO :—" Elementary school or high school? "

* Mr. T. ADINARAYANA CHITTIYAR :—" High school. For those reasons I would urge upon this House to support the amendment of Mr. Rameswara Rao."

* The hon. Rao Bahadur Sir A. P. PATRO :—" Sir, I feel I am unable to accept the amendments proposed by my hon. Friends. In the first place I cannot go against the Statute. The statutory liability under section 37 of the Elementary Education Act is this: when an elementary education fund is constituted under section 32, the Governor in Council shall contribute thereto a sum not less than the proceeds of the taxation levied under section 34 on behalf of the fund. Therefore when it is not less than an equal amount raised in the shape of cess, it should be double the amount of cess that has

[Sir A. P. Patro]

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been collected as education fund. On the other hand, as I submitted to the House, we have interpreted the rule with the assistance of the Finance Department and have been giving not only an equal amount but more than the equal amount. Therefore in the interpretation of it, a great deal of concession has been made and we have been financing the boards which have raised the cess to the fullest extent. There is another difficulty in accepting my hon. Friend's motion. The Finance Department would readily come to the conclusion and say that in cases where more than double the amount is necessary you will have to limit yourself to that amount and no more. In some cases where 100 rupees cess is collected, we have been paying Rs. 200 and more in the Ceded districts. It would be a disadvantage if the motion is pressed, as the danger is that they will get no more than twice the cess amount collected in the Ceded districts. I therefore call the attention of my hon. Friend to this danger ahead. As it is, the Finance Department has been doing the right thing to relax the rules."

(At this stage Srimal Sasibhushan Rath Mahasaya took the chair)

* Mr. A. RANGANATHA MUDALIYAR :—" I have no objection to make it not less than twice, Sir."

* The hon. Rao Bahadur Sir A. P. PATRO :—" There is again another danger, namely, that it will be impossible, if you fix like that, for the Finance Department to be persuaded to give more than what it will give under that section."

* Mr. SAMI VENKATACHALU CHITTA :—" May I know if the Finance Department is more supreme than the hon. the Minister himself?"

* The hon. Rao Bahadur Sir A. P. PATRO :—" It is; that is a point which I need not at present answer. Under the rule no department is supreme; because it is governed by the Devolution Rules."

(Mr. A. Ranganatha Mudaliyar :—" Happy family!") "It will be perfectly justified on the part of the Finance Department to say, 'the statutory liability being fixed, we cannot give you that'. Hence I regret I cannot accept the amendment moved by the hon. Mover unless the Act is amended."

"With regard to Mr. G. Rameswara Rao's motion, that in girls' schools you should allow half fees for girls, there is a rule that in every case where a girl is not able to pay the fees the headmaster or headmistress has to certify to that effect and the girl will be exempted. Such certificates can be given by local officers and non-officials. Such concession is granted on the certificate of respectable persons of the locality, including the municipal chairman, taluk board president, district board president and Members of the Legislative Council. All these persons could certify to the poverty of a pupil and the school authority is empowered to grant concession in such cases. But, where a pupil is able to pay and the parents are rich enough to pay the fees, you cannot make a general rule and say that in every case, rich or poor, the rule should apply. In the case of poor pupils it is necessary that they should be given such concessions but not in the case of rich girls."

"In the case of wealthy people I think it would be unfair to provide for any exemption from the payment of school fees. Therefore, in that case also I regret I am unable to accept the amendment of Mr. Rameswara Rao."

Mr. C. RAMALINGA REDDI :—" Sir the question may be put."

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*The CHAIRMAN (Sriman Sasibhushan Rath Mahasayo): "There are now two amendments before the House, one moved by Mr. A. Ranganatha Mulaliyar and the other by Mr. G. Rameswara Rao. I wish to know what the hon. Mover of the main resolution Mr. Koti Reddi has to say in regard to these two amendments, whether he is prepared to accept these amendments or whether he wishes his resolution to stand separate."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—" I should like to know if the Mover is accepting these amendments or not ? "

*Mr. K. KOTI REDDI :—" Sir, I think it better to put the amendments to the House separately from the main resolution."

*Rai Bahadur C. V. S. NARASIMHA RAJU :—" I wish first of all to speak on the amendment moved by my hon. Friend Mr. Ranganatha Mulaliyar. It is too early to say that the Government will contribute at least a sum which is not less than an equal amount raised by the local bodies in the shape of education cess. In this respect the intention of the legislature is clear. The legislature has fixed a minimum as the contribution from provincial funds. When the limit is fixed it is within the discretion of the Government to raise its contribution to any multiple of the cess amount collected by the local bodies. There are instances where the local Government have got, under the statute, to contribute, twice, thrice and four times the amount collected. It only means that their contribution shall not be less than an equal amount. It means, again, that no maximum limit is placed upon the Government as contribution from provincial funds. They may contribute twice or even thrice the amount levied by the local authorities.

" Now, it has been said by the hon. the Minister for Education that there are difficulties in the way of his contributing a larger amount than is now contributed. He said that the Finance department would not allow his proposals for increased expenditure in this direction. We know that in all cases where there is a statutory obligation to provide funds it need not be submitted to the vote of this House. It is for the Government to settle each year, as far as the Education Act is concerned, as to what should be the limit of their contributions. They may say that this year they are going to provide twice the amount levied by local bodies and next year they may be saying that they are going to raise it to three times. Since that is the spirit of the legislature why should they adopt this amendment restricting it to twice the amount contributed by local bodies? In this connexion I may refer to the original phraseology of the Bill as introduced by Government. There, they say an equal amount. The Bill as introduced first contained a provision that it shall be equal to the amount levied. At that time the Government said that the local authorities shall raise a local cess at the rate of one anna in the rupee. Afterwards, that one anna in the rupee was reduced to three pice in the rupee having regard to the limited resources of local taxation. At the same time, a minimum contribution from provincial funds was fixed in the hope that Government would come forward with even four times the cess collected by the local bodies. These were the circumstances under which these two alterations were made in the Elementary Education Act as it was passed by this Council in the year 1920. Therefore, the intention then was that local bodies should not be asked to raise more than three pice in the rupee as education cess. Again, I may point out that it was originally contemplated

[Sriman Biswanath Das Mahasaya] [20th August 1925]

Madras University. I had therefore to represent the matter to the hon. Member Sir Venkataratnam Nayudu, the Vice-Chancellor of the University and asked him to see if he could do something for the Oriya-speaking people. I must frankly say that up to this time neither the Oriya language nor the Oriya community has received any attention either from the Government or from the University authorities. This being so, I am at a loss to see what the condition of the Oriya language and literature will be and how the Oriyas will be represented in the new Andhra University with its altogether new activities. I assure the House that under section 15 which provides for the election of 15 members to the Senate by the registered graduates not a single Oriya will come in. Even under any other method of representation I am sure that no Oriya will have any chance of coming in. Coming to representations based on language I am sorry to see that Oriya is given only one seat while Kanarese also is given one seat and Telugu is given two. There will be an overwhelming majority of Telugus in the twelve districts and I appreciate the feeling of the hon. the Minister for giving more representation to Telugus than to the other languages. But may I request the hon. the Minister to remember that on a previous occasion in connexion with a previous Bill for the reorganization of the Madras University in 1923, with greatest difficulty we agreed to have one representative for the Telugus and one for the Kanarese and one for the Oriyas and so on for the five important languages of the province. I would therefore suggest to the hon. the Minister for Education that it is desirable to have more representatives for the Oriyas. Of course I am not enamoured of the Madras University or of the Andhra University, except for this new aspect of the latter, viz., the attempt to impart education through the medium of the vernacular which is a distinct step in advance. Unless some steps are taken to encourage the Oriya language and literature, I am afraid the Oriyas will go to the wall. This brings us to another thing, viz., that the Andhra University cannot have for some time to come all the progressive views and ideals of the Madras University. Under these circumstances, I think it is but fair to allow the Kanarese and Oriya population—so long as we Oriyas remain in the Madras Presidency—to have the option of studying either in the University of Madras or in the newly established Andhra University. I hope this will, to a certain extent, meet the wishes of these peoples.

“There is another objection, a very strong objection, for which a remedy will have to be found. I find only three colleges in the list of colleges to be affiliated, I mean the university colleges. Then what is to become of the other colleges? It may be that the Parlakimedi College may become a first-grade college in a few years and what then will be its position? There is a second-grade college in Berhampur and neither now nor in the future is it proposed to be affiliated. I would request the hon. the Minister for Education and the Select Committee on the Bill to look into this aspect of the question carefully. Then again the hon. the Minister does not give us any idea as to the location of the university. I would enter a caveat with him at this stage. It is a great injustice done to the hon. Members of this House to have given them no idea about the location of the university. I believe, Sir, that unless the university is located at Vizagapatam it would not at all be appreciated by the people of the Oriya-speaking tracts. I am not unaware of the great controversy that has centred round this aspect of the question. I request the hon. the Minister for Education to face it before we send the

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[Mr. T. E. Moir]

was Rs. 1,78,707 and the total expenditure met from provincial funds was Rs. 12,62,000 for the whole presidency and for the Ceded districts it was Rs. 1,45,875. That is to say, that whereas in the other districts the expenditure from local funds or private funds was something like 40 per cent of the total expenditure, in the Ceded districts it was something like 20 per cent. Now, I do not think that on these figures the Mover of the resolution or the amendment can really make out a case. That the Ceded districts are in such a privileged position when compared with the rest of the presidency is clear. The fact is that whereas the rest of the presidency gets Rs. 1 per rupee as an additional contribution, the Ceded districts are getting Rs. 2.

"One hon. Member called the attention of the House to a particular institution in Anantapur to which reference was made this morning. It was said that there were only 8 pupils in that institution and it was suggested that the Government by refusing a concession of two or three rupees to that school were keeping down the number of pupils who were attending. Now, I happen to know the Ceded districts and I know Anantapur. And it seems to me that to suggest that a reduction of two or three rupees in the fee is going to fill the forms of that school is to cast some reflection on Anantapur. So, speaking entirely from the financial point of view and seeing that what is given to the Ceded districts is in excess of the already very liberal contribution allowed by the statute, such claim as is now made can only be met by depriving other districts and I do not think, Sir, that on the figures there is any real claim to be put forward on behalf of the Ceded districts in that respect."

3-45 p.m. "The hon. the DEPUTY PRESIDENT:—"The hon. Member Mr. Narasimhachari is to speak on the amendment since he is the seconder of the resolution."

Rai Bahadur T. M. NARASIMHACHARLU:—"Sir, am I to speak on both the amendments or on only one?"

"The hon. the DEPUTY PRESIDENT:—"As the hon. Member pleases."

Rai Bahadur T. M. NARASIMHACHARLU:—"Speaking on both the amendments, I am certainly in favour of both of them. For, if they are lost, Government, will get hardened and tighten the purse strings against the Ceded districts. The hon. the Minister told us that in the case of education cess he is bound by certain statutory provisions. I suppose that as gentlemen become statesmen from vakils they forget a great deal of the law of interpretation and give speeches in a statesmanlike way. His way of interpreting the section in the Education Act will not be commendable to any lawyer though it may be to a statesman. The words 'not less' cannot mean 'equal' only but anything 'equal to or over that particular amount'. So there is nothing which ties the hands of the hon. Minister from accepting the amendment proposed by my hon. Friend from Bellary. The hon. the Finance Member told us that it would not be fair that these districts should be shown special favour as against other districts. With his past experience of the Ceded districts and his sympathy for the people of the districts—for he has been there for a long time and his name is remembered as the best settlement officer in that district and Government always quote his settlement proceedings as an example and say, 'Here is Cuddapah and we have not increased the rates in this periodical settlement'—I expected a different kind of reply from him. I thought he would say, 'I know these

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districts; they require a specially favourable treatment and Government will not be wrong in showing this treatment to these districts'. Now, Sir, he is occupying the position of the Finance Member and Finance Membership is a little difficult thing no doubt (Laughter) because just like a merchant he has to deal with his credits and debits and adjust them to each other. It is only from that point of view he opposed the resolution. On the other hand if he had been left to himself or if he had been a Member in charge of some other portfolio he would have taken a sympathetic view of the question and supported the motion.

"As regards the question of girls' school, no doubt the hon. Minister said that girls could in many ways get certificates whereby they could get exemption. They can approach Members of the Legislative Council or district board presidents or tahsildars. I submit, Sir, that instead of making these girls ask favours from them—for there is a difficulty in getting favours also, because these girls will be asked to come the next day and so on—instead of putting these girls to all these difficulties it would be more statesmanlike if they say that the girls in the Ceded districts will be charged no fees or will be charged only a fraction of the fees. That would be a sympathetic and statesmanlike way of dealing with the question. The original resolution will include all these cases; but since the amendments have cropped up, it is my duty to support the amendments also."

The amendment of Mr. G. Rameswara Rao was put to the House and declared lost.

The amendment of Mr. A. Ranganatha Mudaliyar was put to the House and declared lost.

The resolution of Mr. Koti Reddi was put to the House and declared carried. On a poll being demanded by the hon. Sir A. P. Patro, the House divided with the following result:—

Ayes.

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| 1. Mr. T. Malleappa | 14. Mr. K. Koti Reddi. |
| 2. Rao Bahadur C. V. S. Narasimha Raja. | 15. " C. Maruthavanan Pillai. |
| 3. Mr. C. Rautlinga Reddi. | 16. Rao Bahadur U. Rama Rao. |
| 4. Rao Bahadur A. S. Krishna Rao Pantulu. | 17. Mr. G. Rameswara Rao. |
| 5. Mr. J. A. Santanla | 18. Sriman Sasubhusala Rathi Mahasayo |
| 6. " K. Uppa Sahib. | 19. Mr. B. P. Sesha Reddi |
| 7. Dr. P. Subbarayan. | 20. " M. R. Seturathnam Ayyar. |
| 8. Mr. A. Ranganatha Mudaliyar. | 21. " K. Sarabha Reddi |
| 9. " T. Adinarayana Chettyyar. | 22. Rao Sahib P. V. S. Sundaramurti |
| 10. " P. Anjaneyana. | 23. Rao Bahadur T. M. Narasimhachari. |
| 11. Sriman Ranganatha Das Mahasayo | 24. Mr. C. M. Narayanaswami Pillai |
| 12. Mr. A. Chilonera Nalar. | 25. " R. Srinivasa Ayyangar. |
| 13. " C. Gopala Menon. | 26. " C. V. Venkataswami Ayyangar |

Noes.

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| 1. The hon. Sir C. P. Rameswami Ayyar. | 10. Mr. G. T. H. Bracken. |
| 2. " Mr. N. C. Marjoribanks. | 11. " Abdulla Ghatula Sahib. |
| 3. " Khan Bahadur M.ammad Usman Sahib Bahador. | 12. " S. Arpudawami Udriyar. |
| 4. " Mr. T. E. Moir | 13. Rao Sahib T. C. Targavola Pillai. |
| 5. " Diwan Bahadur T. N. Sivagnanam Pillai | 14. Sir K. Venkatarajulu Nayudu |
| 6. " Rao Bahadur Sir A. P. Patro. | 15. Rao Bahadur C. Natesa Mudaliyar. |
| 7. " Rao Bahadur Sir A. P. Patro. | 16. " M. C. Raja. |
| 8. Mr. E. W. Lall. | 17. Mr. D. Appavu Chettyyar |
| 9. " G. T. Boag. | 18. " P. K. S. A. Arumuga Nadar |
| | 19. " A. Rameswami Mudaliyar. |
| | 20. Diwan Bahadur P. C. Ethirajulu Nayudu. |

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Noes—cont.

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| 21. Rao Sahib S. Elappa Chettiyar. | 31. Mr. B. Ramachandra Reddi. |
| 22. Rao Bahadur Cruz Fernandez | 32. Diwan Bahadur M. Krishnan Nayar. |
| 23. Rao Sahib P. V. Gopalan. | 33. Rao Bahadur P. Raman. |
| 24. Mr. L. G. Guruswami. | 34. Mr. R. Srinivasan. |
| 25. The Zamindar of Kallikote | 35. „ R. Veerian |
| 26. Rao Bahadur K. Krishnaewami Nayudu. | 36. Diwan Bahadur W. Vijayaraghava Madaliyar. |
| 27. Mr. B. Madanagopal Nayudu. | 37. Mr. Abbas Ali Khan. |
| 28. „ K. Prabhakaran Tampian. | 38. „ Qadir Muhammad Salib. |
| 29. „ G. Premaya. | 39. „ Abdul Wahab Sahib. |
| 30. „ K. Raghachandra Baiji. | |

26 hon. Members voted for the motion and 39 against. The motion was lost.

POWERS OF PUNISHMENT TO PRESIDENTS OF BENCH COURTS.

4 p.m. Rao Sahib P. V. GOPALAN :—“ I beg to move the resolution standing in my name which runs as follows :—

‘ That this Council recommends to the Government that honorary presidents of first-class bench courts be invested with the same powers of appointing and punishing their subordinates as are conferred on the presidents of local courts and on members of municipal councils with regard to their subordinate.’

“ In this connexion I beg to submit that it is an extension of the principle of local self-government to invest the local public with the jurisdiction to try criminal offences committed by the people, and so long as local bodies exercise uncontrolled jurisdiction over their subordinates, efficiency of service requires that the subordinates of bench courts should be placed under the control of the presidents. At present the president has no powers of punishing or appointing his subordinates and naturally that amount of obedience that one would expect from a subordinate cannot be expected from them who are said to be under the control of the executive officers of the district.

“ I shall quote one single instance to give an idea of the work done by a bench court in a year and the work done by a deputy tahsildar in order to convince this House how essential and necessary it is for the Government for favourably considering this resolution and thus approve of the work done by the presidents of bench courts who are in most cases retired deputy tahsildars. Although the Government give power to Tahsildars and deputy tahsildars under Board's Standing Order No 132 to fine their subordinates to the extent of Re. 1, they do not give any power to the bench court presidents. The figures are these. In one year in a certain bench court there were 2,500 cases and the amount of fine recovered was Rs. 5,000 ; but the cost of establishment was only Rs. 600. Whereas in the case of a certain deputy tahsildar's court there were 350 cases, the fine recovered was Rs. 2,750 and the cost of establishment was Rs. 4,000.

“ I commend this resolution for the acceptance of this House.”

Rao Bahadur Cruz Fernandez :—“ I second the resolution.”

* The hon. Sir C. P. RAMASWAMI AYYAR :—“ I hope to be able to demonstrate to the satisfaction of the hon. the Mover of this resolution that to accept it would not conduce to the interests of the proper working of the panchayat

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courts themselves and would produce many other difficulties also. I shall arrange my arguments in order. In the first place, no specific complaint has been received from any president till now about the inconvenience arising out of this matter. You cannot really compare a court which has only one clerk—in most of these panchayat courts you have one or at the most two clerks and one peon—with local boards or bodies which have a large establishment. A more important matter which I may mention is that in order to get fairly efficient men, these courts are empowered to utilize for their work part-time employees, employees of Collectors' offices or other offices who are ordered to go and do work in the panchayat courts. If we do not adopt this expedient, we should have a full-time establishment for all the panchayat courts and pay them proportionately a high salary which means the raising of the standard of cost on panchayat courts which it is the aim and effort of most of the people of this Presidency to curtail. What we generally do with regard to these panchayat courts is that we lend one or two clerks of certain Government offices as part-time workers and they get some allowance. The services of these clerks are lent not with reference to their status as first or the second class bench courts, but with reference to the heaviness of their file. It seems to me that if we want to have a permanent establishment, no efficient men would be forthcoming to take service in these courts as there will be only one or two clerks and a peon and as they will have no chances of promotion. That is the difficulty. We also thought that the utilization of the services of clerks in Government offices will conduce to the convenience and advantage of both the establishments of panchayat courts and Government offices. For these reasons I invite the hon. Member to realise the difficulties in this matter and if necessary to go more thoroughly into the matter. Then if he finds that in any particular court a full time establishment is necessary, the Government will do all that it can possibly do in the matter. In most of the courts there is not an overwhelming amount of work. If on the other hand in any particular bench court there is a heavy file, and if the work of that court calls for a full time clerk it is a very different matter. But on this basis to accept a proposition that throughout the whole presidency there should be full time establishment for all the panchayat courts would lead to embarrassment.

"I shall also point out other difficulties. Supposing that we want to give powers of disciplinary control and supervision to the president of a panchayat court, then what will happen? We must give him a separate establishment and he will have powers of fining his establishment; but supposing his clerk does not work properly, he will not be able to remove this clerk and get a substitute for the small pay which the panchayat courts can afford to pay. What is done now is that another clerk is brought from a Government office. If there is a permanent establishment and if a clerk takes leave for six months there will be difficulty, because nobody else will come for a small pay and that too for a short period of six months. So if you want a permanent establishment for a particular panchayat court, this may be done, but if you bring forward a general proposition and say that all the panchayat courts in the Presidency must have permanent establishments of their own, the proposal will militate against the interests of both the establishments of panchayat courts and Government offices."

Mr. J. A. SALDANHA:—"Sir, I have got an amendment to move. I am fully aware of the difficulties and embarrassments which, the hon. the

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[Mr. J. A. Saldanha]

Law Member has pointed out, would be produced in case the resolution is accepted. My amendment is this:—

‘ For the words “ of first class bench courts . . . with regard to their subordinates ” substitute the words “ of bench courts be invested with the same powers of fining and blackmarking their subordinates as are conferred on heads of offices under S.O. No. 132 of the Board of Revenue with regard to their subordinates ”.’

“ I may inform this House that certain presidents of panchayat courts have got a feeling that the clerks and establishments given to them by the District Magistrate or Divisional Officer think that they are independent of the control and supervision of the presidents of panchayat courts ”

* The hon. Sir C. P. RAMASWAMI AYYAR :—“ The hon. Member’s amendment has been placed in my hands just now. It seems to me that the difficulty pointed out by the hon. Member has already been met by me when I said that whenever a president of the bench court does not want a clerk who is insubordinate he has only to report to the officer concerned and instructions will be given to the latter to take that clerk back and give another clerk instead.”

Mr. J. A. SALDANHA :—“ I am aware of that. There are few presidents of bench courts who will report against the insubordinate behaviour of their subordinates. If the subordination of bench courts should be made to feel that they are under the control of the presidents of those courts why should not the latter be given some powers of punishing their subordinates? I may draw the attention of this House to the Board’s Standing Order in this connexion which confers on tahsildars and deputy tahsildars power to fine their subordinates to the minimum extent of one rupee under the circumstances. The bench court presidents rightly feel that they have not got the same power as a tahsildar or a deputy tahsildar. This is an invidious distinction and I urge that this should be done away with. I would, therefore, bestow upon the bench magistrates the same power as the heads of departments have got, namely, blackmarking and then reporting to the superior authorities against the conduct of their subordinates.”

* Rao Bahadar A. S. KRISHNA RAO PANTULI :—“ In seconding this amendment I must make my position clear. The presidents of bench courts should be given this power on the understanding that they have complete control over their establishment. In the special cases which the hon. Member from Mangalore has pointed out the establishment of the bench court will be at present under the control of some one else. If the presidents of bench courts were also to be given some powers of control, it will lead to a system whereby two sets of officers have got the power of fining or blackmarking. So it must be limited to those cases where the presidents of bench courts are given complete control over their establishments.”

* The hon. Sir C. P. RAMASWAMI AYYAR :—“ I am afraid I did not make myself clear in the earlier portion of my remarks. I said that all heads of offices from which those employees were lent to bench courts will receive instructions to remove these clerks, take them back into their establishment and substitute other clerks instead, if the presidents of bench courts were

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not satisfied with their work. My hon. friend from South Kanara said that presidents of bench courts were so merciful or so complacent that they were not in a position to persuade themselves to resort to the drastic remedy of reporting against their subordinates in the manner I have suggested.

“But if presidents of bench courts have the bowels of mercy so developed in them as to be unable even to send away a man who would not do work, they would not have sufficient nerve to put the blackmark wherever it is to be put or to fine wherever a fine is necessary. Now, it seems to me that all this elaborate system of black-marking and fining is excellent when there are large numbers of clerks to be dealt with. But when there is only one clerk who is functioning in a bench court, I do not understand the point of this fining and blackmarking. If the clerk is not satisfied with his lot or the president does not get on with him, he goes away and another man comes in. So, it seems to me that we are wasting too much powder and shot upon very indifferent fowl.”

The hon. the DEPUTY PRESIDENT:—“Is Mr. Saldanha withdrawing his amendment?”

Mr. J. A. SALDANHA:—“I want to reply to that argument, Sir. Here there is no question of powder and shot. Whether a president of a bench court has got the power of using it is the question. For purposes of discipline he should be given power to punish, so, the powder and shot are there but he must be given the power of using it when necessary. I think that is sufficient to bring home to this House the point of my amendment. What happens at present is this: There is a fear that the bench court presidents have no power at present of using the powder and shot. That makes the clerks somewhat defiant to the president of the court. What I contend is that he should have the power which the tahsildar has. A tahsildar does not appoint his subordinates. He gets his establishment from the District Magistrate. So if a tahsildar has got the power of fining, I do not see any reason why the president of a bench court should not have the same power, i.e., the power of using the powder and shot. It is seldom used but the power must be there. Here the Standing Order of the Board of Revenue distinctly lays it down that the power should be seldom used.”

* The hon. Sir C. P. RAMASWAMI AYYAR:—“May I point out that a tahsildar has about 12 or 15 clerks and about 30 other subordinates working under him? But it seems to me that there is no point in energising on only one clerk in the way of fining and black-marking him.”

* The hon. the DEPUTY PRESIDENT:—“Does the mover of the motion accept the amendment?”

Rao Sahib P. V. GOPALAN:—“Mr. Deputy President, Sir, after having moved the resolution and after hearing the hon. the Law Member and especially the assurance which he has given to me, while thanking Mr. Saldanha for his amendment and all that he has said (laughter), I beg leave to withdraw my motion. Mr. Saldanha's amendment is part and parcel of my resolution and since I attach more importance to the assurance of the hon. the Law Member, I wish to withdraw the resolution.”

The motion was by leave withdrawn.

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SCHEME OF COLONIZING THE ANDAMANS WITH MAPPILLAS

* Mr. K. UPPI SAHIB :—“ Sir, I beg to move—

‘ That this Council recommends to the Government that the scheme of colonizing Andaman Islands with Mappillas and all propaganda in support of that scheme be immediately suspended and a committee of non-official members of this House including Mappila representatives be sent to the Andamans to enquire into and report upon the conditions there, and that till that committee's report is submitted, no free women and children be kept in the Andamans. ’

“ Sir, in moving this resolution I have to say that I am very sorry that the author of this scheme is not here, and I am also very sorry that in the place of Sir Arthur Knapp, Mr. Usman Sahib has come to oppose me. At the first sight this scheme on the face of it may seem to be very innocent. Many people have been telling me, ‘ This scheme is very innocent. Why should you object to it? It is a humanitarian act, etc. ’ To them I have to say that they should only read the Jail Committee's report submitted by no less an authority than an acting Governor of Madras. That Committee consisted of Sir Alexander Cardew and many other eminent gentlemen who were competent to give their opinion about jail life and convict settlements. I beg leave of the House to permit me to enlighten and educate the House about the conditions prevailing in the Andamans. First of all the climate is malarial. The Jail Committee say :

‘ The prisoners who survived and who were released were exhausted by malaria, their offspring suffered still more from the same cause, and there was a natural disinclination to remain in islands which were thus afflicted. ’

“ The physical unhealthiness of the islands is not the only bad feature about it. Take the moral conditions in the Andamans. Let us see what is the state of the Andamans so far as the morality of the people is concerned. Andamans consists of a group of islands; there are four big islands and the present settlement is in the southern-most corner of that group. Port Blair is in the southern-most corner of the Andamans. The middle Andamans is a forest land and the northern-most portion is uninhabitable. I am giving all these details of the geographical situation of the Andamans, because they will be of some use later on in my speech. As regards the moral conditions there, the Committee say :

‘ It has been said that men often accept the position of self-supporter with a wife from the female prison in order to live upon her immoral earnings. As prisoners came to be finally released, a free population gradually grew up, but this population being mainly drawn from the convict class, was stamped with the same vices which characterized that class. In consequence, the moral atmosphere of the settlement has been thoroughly unhealthy. No decent prisoner would wish to bring his wife. ’

“ Mark the words ‘ the moral atmosphere of the settlement has been thoroughly unhealthy. ’ The report goes on :

‘ No decent prisoner would wish to bring his wife and family to such a place, and accordingly any attempts which may have been made in recent years to induce released convicts to bring their wives and families to the settlement so as to relieve the social evils of the place could not be expected to succeed. On the contrary, every man who retains any sense of self-respect desires to get away and to take his relative with him. In the course of our visit, we saw some of the self-supporters, men with young and growing families, who wished to return to India in order to give their children a chance of being brought up in healthier and more decent surroundings. ’

“ Can a stronger condemnation of the Andamans be expected and that too from such an eminent and impartial committee? ”

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* Mr. K. PRABHAKARAN TAMPAN :—“ May I know in what year the report from which the hon. Member is reading was published ? ”

* Mr. K. UPPI SAHIB :—“ It is dated 1920, and it was only five years ago. Then, the committee again goes on to say as regards the conditions in those islands :

‘ Nor is this the only reason why the original conception of a free community springing from the convict population has miscarried. For that idea to prove a success it was evidently essential that every possible form of reformatory influence should be brought to bear upon the convict during the period of his sentence and that he should as far as possible be protected from contaminating influences. Unfortunately these considerations do not appear to have been present to the minds of those who controlled this experiment. It is not too much to say that absolutely no attempt whatever to provide any kind of reformatory influence on the convict has ever been made.’

“ This report was only published in 1920. What the Government have done during this short period to metamorphose the islands so quickly is left to the hon. the Home Member to tell us. The report goes on :

‘ No education for convicts is provided and there are no religious teachers in the settlement. A definite rule has been laid down prohibiting convicts from attending places of worship of any kind, with trifling exceptions, and from taking part in any public religious observances in the grounds, lest disturbances might result.’

‘ That is one of the most dangerous things, one of the most inhuman things that a Government can do, that is to interfere with the religion and religious observances of convicts. Religion is the thing which makes man a man. They are prohibiting every thing which will certainly help them to become human beings, and they are doing the most important thing in life. Religious observances are not allowed in those islands, and it is to such a place that the Mappilla women and children are being persuaded to go, and vigorous propaganda is going on in Malabar to induce these women and children to emigrate to such a place. Can we conceive of a more inhuman act ? Then again, the committee suggested the abolition of the settlement and they say that any attempt to colonise the Andamans should be the last one. They say :

‘ Accordingly, the first question to which we gave our attention was whether it was not possible now to correct past mistakes and by removing the difficulties which have hitherto prevented the presence of a sufficient number of women, to carry out, under better conditions, the original conception of a settlement of freed and reformed convicts. We considered first whether this could be done at Port Blair. The late Chief Commissioner, Colonel Douglas, took the view that the existing settlement there might be developed and continued as a reformatory system for the more decent class of prisoners and we therefore examined carefully that hypothesis.’

“ As for this ‘ more decent class of prisoners ’, the Government says that the Mappillas constitute a more decent class of prisoners ; and we have to see whether this place is a fit and proper place for this ‘ more decent class of prisoners. ’ Let us see what the committee say :

‘ We are quite convinced, as a result of our inquiries, that it is not practicable. The corrupted state of the free population which we have referred to in paragraph 518 constitutes in our opinion an insuperable difficulty. No self-respecting prisoner would consent to bring his women into this polluted atmosphere, even if the women were ready to come and if their relatives would let them do so. We therefore decided that if any fresh attempt at colonisation was to be made it must be in an entirely new locality.’

“ The committee have thus condemned the colonisation of the Andamans, and lastly they give reasons for the entire abandonment of the settlement :

‘ As we have already shown, it must be more expensive to maintain a convict there than in an Indian prison ; the removal of a prisoner far from his home and the almost complete severance which this involves of all ties with friends and relations is demoralizing and undesirable.’

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"When it is so to the prisoner, what will be the effect on a free population of women and children?"

"Firstly they hold:

"That it is difficult to supply those reformatory influences which we have recommended for Indian prisons, such as the presence of religious teachers, etc., and the attempts in other ways to fit the prisoner for eventual release, that in the absence of any large free population there would be no induced power of men to restrain the prison authorities or to see that the reforms so undoubtedly necessary in the settlement are properly carried out; and that the climatic conditions will always be unfavourable to the health of the convicts drawn as they are from various parts of India. On these grounds it is argued that the settlement should be entirely abandoned and that the exploitation of the island should be made over wholly to private enterprise."

"Now, Sir, I have told the House something about the Andamans from the Jail Committee Report which forms the important ground

4.30 p.m. I stand upon in pressing my resolution, and I beg the hon. Members of this House to go through the report and see for themselves what more heinous and immoral things are perpetrated in the Andamans. The Andamans is a land of perdition, a pagan spot, a hell on earth; it is intended for convicts; the population consists only of convicts, men who have been convicted for heinous offences, for murder, for dacoity and such other serious offences. Along with those Mappillas, there are also from the point of view of Government, people convicted for very serious offences like waging war with the King, dacoity and murder. I am among these people that the Government is persuading free Indian women and children to go and settle. Is it to demoralize them? Is it to make them inhuman and unfit for society that these women and children are persuaded to go there? Can we be a party, can this House be a party to this scheme of Government? The Government is powerful; they can send men to the gallows, they can deport people; they have proved their strength in the Mappillas and now they ought to restore them to liberty, telling them 'be good men, do not be mischievous', as a good Government ought to do; if they really care for these women and children they ought not to allow them to become criminals. I anticipate the answer of the hon. the Home Member. The Home Member may tell the House that with their consent they are going, with their consent they are being sent there. Can consent in this case be a reason? If two men carry on a contract between themselves, one of them to murder the other, I ask whether the Government will permit it. Will the Government leave alone the other man because he had the consent of the murdered man? Can you take into account the consent of these innocent women and children who do not know anything about the Andamans and who are only eager to see their husbands and brothers? When the big officials go and tell them that they are wanted by their husbands who are very happy there is it unnatural that these people, who are very anxious that their relatives should come back to them, consent to go? Under the circumstances, when the Government goes and pays them money, will they not be induced to go? Yesterday a woman came with three children; I asked her what the officials have given her and she said that the inspector had given her Rs. 10. This is the method which the Government is using in Malabar to persuade these women and children to consent to go to the Andamans.

"Another thing I want to say is this. The Andamans is a settlement for convicts, and the law that prevails there is one intended only for convicts; there are no regular civil courts; there is no Criminal Procedure Code; the law is in the hands of the Commissioner; the Commissioner's will is

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law. Can Government be a party to subject free people who were governed by civil laws, to subject innocent women and children, to jail laws? I say the Government has no other record in its favour except the report of the Deputy Collector who was sent there after the whole scheme was conceived and who went there to organize and see to the conditions there. In the face of what is contained in this Jail Committee's report can the hon. the Home Member say that this is not a more reliable record than the report of that Deputy Collector? Can the Government say that an acting Governor of this province who presided over this Committee is not a better man than the Deputy Collector who wrote that report? Within the last three months especially there has been a vigorous agitation, a vigorous expression of public feeling in meetings held in Malabar and in Madras, protesting against the scheme. A deputation waited on the hon. the Home Member and what has the Government done? In spite of all these yesterday, arrangements were being made to receive a hundred Mappilla women and children in the Hakim's country wherefrom people who had already taken shelter there were shooed out. Somehow or other, these Mappillas who first consented to go refused to go afterwards. I tell you, Sir, the Government have not published the whole truth. If it is a matter of consent, the Government ought to have published as summary of this Jail Committee's report, translated it and circulated it among the people along with the other report and left it to the voluntary choice of the people to go or not. For the information of this House, I may say that I saw an abridged summary of this report and contributed the sum of Rs. 200 to a local newspaper for publication. As an after-effect of that, over 500 people who were about to go, the number came down to 200. There is no counter-propaganda against the scheme. If really we told the people the real conditions in the Andamans, I am sure nobody would dare to go there. It is because of the ignorance of conditions there and of their anxiety to see their relatives that the people ever consent to go. Why all this vigorous propaganda inducing people to migrate to Andamans? Is it vindictiveness; is it because Government want to delete Mappillas out of Malabar? I am sure my Hindu brethren will not be a party to this. We, Mappillas and Hindus, are now living very cordially and amicably in Malabar, though in a moment of heat, of madness, grave offences have been committed by one class against the other. My hon. Friends from Malabar will be able to confirm my statement. I hope my hon. Hindu Friends will join with me in carrying this resolution. To the deputation that waited on the hon. the Home Member, he said that he would go into the matter. To what extent he has gone, I do not know. Moreover, this resolution was pending before the Council. Could he not have raised his little finger to suspend the scheme till the matter was discussed in this Council and till the representatives of the people expressed their opinion? Yet, why should Government expedite this so-called voluntary exile of these women and children?

"Then, once these women and children migrate to the Andamans, there is no question of their coming back. Because, if they want to come back, they cannot do so without the consent of the Government. Only the Government's ship 'Maharaja' could bring them back. Their chances of coming into contact with civilized people are very few; they will become aborigines and in course of time lose their religion. I appeal to my Hindu friends here not to allow their Muslim brethren to lose their religion. There is no

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refractory agent there so far as we can see from this report, and these innocent Mappillas have no chance of ever being civilized there. Very few people will agree to transport themselves or to deport themselves to the Andamans in order to educate these Mappilla women and children. Therefore, in the name of humanity, in the name of civilization, I appeal to this House to agree with me and ask the Government to suspend the scheme at least till a committee composed of the members of this House has visited that place and seen whether the place is fit for the habitation of free women and children.

“Lastly, the Government say that it is only a humanitarian act to allow these women and children to go to their relatives on their own consent. If the Government feel so much sympathy on behalf of the relatives of people who have been convicted for serious offences, why do not they see the same in the case of women and children whose husbands and brothers are undergoing imprisonment for minor offences in the Bellary jail? Why not give their wives and children to them? It is not because the Government feel for the Mappilla prisoners, but I am constrained to say that it is a vindictive act on the part of the Government to allow these women and children to leave this country. It is up to the hon. the Home Member to have protested to the Government and pointed out the public feeling against the scheme and move the Government to drop the scheme altogether. With these remarks, I move my resolution.”

Mr. T. M. MOROT SAHIB:—In supporting this resolution, I need not dilute on or traverse the ground already covered by my hon. Friend Mr. Uppi Sahib. I think it is sufficiently clear from the findings of the Jail Commission itself that the Andamans are not suitable for human habitation, more so when the report is made by one who was an acting Governor of Malabar for some time. I am sorry that we Mappillas are subjected to special treatment even after the rebellion is over. I say this because it is the civil population that is being deported now. The convicts may have deserved the deportation because it is the finding of the court. Now, I do not know why Government should embark on this scheme of sending the civil population to the Andamans. Is it to depopulate Malabar of Mappillas or from any other object? If it is for the welfare of the Mappillas themselves, I do not think that it is because the Andamans are more fertile than Malabar. From the Jail Committee report it is evident that the place is stricken with malaria, and I have heard from reliable sources that so many people who have gone there are patients suffering from malaria. Without taxing the patience of the House with the history of the Andamans or the history of the rebellion, I appeal to hon. Members of this House to support this resolution, irrespective of their political creed, and to save the poor depressed and oppressed Mappillas from dehumanisation. With these few words, I second this resolution.”

Mr. C. RAMALINGA REDDI:—“We want to know what the hon. the Home Member has to say.”

‘The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—“I should like to hear a few more members before I speak.”

Mr. C. RAMALINGA REDDI:—“He can speak twice.”

‘The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—“I would prefer to speak a little later.”

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* Diwan Bahadur M. KRISHNAN NAYAR :—“ May I also point out to the hon. the Home Member that he has two voices, whereas the others have only one voice in the matter ? ”

* The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—“ Then, I have absolutely no objection to speak now, Sir.

“ Sir, with regard to this scheme I should just say that since I took charge of this portfolio I have bestowed my earnest attention on this subject and I came down to Madras to speak to the Mappilla prisoners and their families who sailed to the Andamans by the *Maharajah* on 9th July. I spoke to them daily for two or three days. I think that the prisoners are thoroughly satisfied that the conditions in the Andamans are exactly like those of Malabar. They think that this is a very good scheme because they are going to live there with their families.”

Mr. T. M. MOINU SAHIB :—“ How can the families know that fact before going to the Andamans ? ”

* The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—“ I am speaking of the prisoners who came from the Andamans. It was first of all stated that the Jail Committee have recommended the Andaman settlements for various reasons. I should like to point out to this hon. House that the conditions of 1919 do not exist at this moment. Stress has been laid by my hon. Friend on the effect of malarial influence. I can now say that we have provided for the Mappilla villages one or two schools and a mosque and we have under consideration further schemes for bringing into existence more mosques and schools.”

“ With regard to the health condition, when objections were raised on this question we have received various reports from persons like Major Frerar, the Commissioner of Port Blair, Major Barker, who has been there for two or three years and is now the Superintendent of Prisons in Coimbatore and two or three officers who have gone there. I have been able to collect information which points to the one conclusion that the health of the place is very much better and it is exactly like that of Malabar.”

Mr. C. RAMALINGA REDDI :—“ May I know if the conditions are good enough for the Mappillas or are they generally good ? If they are generally good why should the Mappillas alone be asked to go to these islands ? ”

* The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—“ The conditions are good generally and one of the reasons why the Jail Committee condemned these islands is that they have wet weather, a weather just like that of Malabar.”

* Mr. K. UFFI SAHIB :—“ May I know if there is so much malaria in Malabar as in the Andamans ? ”

* The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—“ The Andamans may not suit the Madrasis. The climate of the islands is most suitable to the Malabar people. The deputation that waited upon me raised the question of immorality; I am convinced that we are not subjecting the Mappilla women to any kind of risk. I have gone into the question thoroughly. I have asked the Tahsildar about it. There are about five Mappilla villages; no other criminals are allowed to go there. We have the

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same set of climatic conditions there as we have in Malabar. Major Frerar is of opinion that the moral conditions are absolutely good and that there is nothing morally degrading."

Mr. C. RAMALINGA REDDI:—"May I know if there is any non-official evidence to that effect?"

*The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"I have official evidence and I see no reason to disbelieve it. I may also point out that there has been no propaganda in this matter. All that we wanted to do was to give certain facilities to the families of these prisoners to go to the Andamans and therefore we allowed these prisoners to go home and tell their families the condition of the affairs so that they might be taken to the Andamans. The Government have on the other hand allowed the fullest opportunity to those gentlemen who wanted to have counter-propaganda. My friend Mr Uppi Sahib had no obstruction at all from the officials when he went on his propaganda tour.

"As regards reformatory influences I have already stated that the Government have set apart Rs. 10,000 in this year's budget and we are going to consider the question of giving more facilities in that direction. With regard to some objections that have been raised by my hon. Friend, Mr. Uppi Sahib, the Government do not dispute the effect that the place is absolutely healthy and that there is nothing to be afraid of in the direction of these women degrading themselves."

"On the other hand, this scheme has been brought into existence by the Government in the interest of the Mappillas. I find that when I interviewed the Mappilla prisoners and their families in Madras most of these prisoners are between the ages of 25 and 35, and the women also are young. The Government think that by these women joining their husbands they will make happy homes for them. These women will be living with their husbands who will be living almost as free men in the Andamans. I request hon. Members not to interfere with this question because the prisoners are very anxious to live with their wives."

*Mr. T. ADINARAYANA CHETTIYAR:—"Sir, that there has been a necessity to bring forward this proposition is regrettable, regrettable more for the good name of the Madras Government than even for other causes. This proposal has been characterized very properly by my hon. Friend, Mr. Uppi Sahib, as most inhuman. Of course, the hon. the Spokesman of the Government would have us believe that the Andamans are a sort of earthly paradise, he said that the islands are a miniature Malabar. May I ask why then do you take away people from Malabar where they have been for generations and ask them to go to the Andamans, which is Malabar with malaria added to the other attractions? If the Andamans were healthy, the aborigines would have been a fine robust race. You may safely call them the Creator's miserable specimens, naked and with absolutely no vestiges of human graces because the islands cannot produce anything better. That fact itself is evident and ample testimony that the present move of the Government is most inhuman. It is again most uncivilized. Under the accepted Code of International Law followed with the name of the great Gratius, a recognized section of people in a state, when they rebel against their political conditions, if they have only been successful, have every right to be declared a free and independent people. I need not give the classical

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example of the United States. If the Irish people who rebelled in 1916 had only continued for a couple of weeks more, France and the United States would probably have given independent recognition to Ireland. These rules of International Law are unchangeable, immutable and universal. These Mappilas, having neither the status nor the support of other nations, have been treated not as prisoners of war as it is to be expected if they had been Irish or Americans, but as criminals. I again repeat that the treatment of the Mappilas by the Government is unavailing, to use a very mild term. Whatever may be the state of affairs in the Andamans though the Andamans may be very flourishing, and though the soil of the islands may be virgin soil full of possibilities, it is unrealistic to expect that people would willingly leave their native soil. Even though Malabar does not have sea breeze on all the four sides which the Andamans have, a home is a home, and the race of the Mappilas have absolutely a right not to be removed to their native country or taken to foreign lands from where we cannot be sure when they would return.

"Again, it is unfair and unbecoming of a Government which is a part of that great British Empire on which the Sun never sets to go and preach to the underdeveloped and unsophisticated people that the land which was condemned, twice condemned, and twice again condemned, is to be their home. It is unfair that the Government should say that at that level. Sir, at least in the earlier years, the Government by the Government of 1921, there might have been some justification for the Government to be in a state of panic. I know that the Government was suggested on at that time by the Nair Noyars and other people in Malabar a policy of repression. I know that my hon. Nayar friends would not agree with me here because these are unpleasant facts. The Noyars, some of them surgeons, but unfortunately at that time they lost all their courage. Even Nair policemen ran away from their posts leaving arms and rifles to the rebels. Under the direction of Mahatma Gandhi I was going from place to place at the time of the rebellion. I knew the feeling of the country then and I have some authority to speak about it. The mention of the mere name of a Mappila would produce heart-failure even in the most courageous Nayar at that time. But the Noyars having got rid of that fear now, the Government need not be afraid of the nightmare of the Mappila. The Mappila has not always been a rebel. The history of Malabar shows that the Mappilas have been a thrifty and industrious race and, wherever you see, you have a Mappila shop or a Mappila farla. Government ought not to have removed them from their native soil on which they have their own and on which they naturally wish to end their lives.

"At the time of the rebellion and the years following, the Government have, knowingly or unwittingly, treated this noble race of Mappilas rather unfairly. Instead of the Mappilas being treated as prisoners of war, as I said earlier, they were condemned by the special tribunals on hasty evidence—I say deliberately hasty evidence because otherwise there would not have been the necessity for the wholesale remission of sentences against the rebels who were convicted at a time of panic in such large numbers."

"Mr. K. PRABHAKARAN TAMPAN:—“May I know whether we are speaking on the impropriety of settling the Mappilas in the Andamans or generally on the Mappila outbreak?”

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* Mr. T. ADINARAYANA CHEATHYAR :—“ Sir, they are inseparable. I am reminded of the wanton way in which cruelties were believed to have been perpetrated by the armies brought down with all the speed of special trains from Assam and elsewhere: the military came there ignorant of the people, and I was told at that time that some others who had some unfortunate resemblance to the Mappillas were wantonly shot. They caught hold of the Chermas also judging perhaps from their mode of tenure that they were Mappillas. The troops probably considered that the Mappillas were ubiquitous. Most horrible things were then reported to have been perpetrated. Then came that wagon tragedy. Sir, I need not narrate the tale of injustice that was meted out to the Mappillas. I would simply mention that it is time that Government should do some penance for all those wrongs.

“ The Mappillas are a noble race. If the country's manhood, strength and prosperity are to be kept up the Mappillas should not be taken to the Andamans. It is in the interest of the Hindus as well as the Muhammalans inhabiting this province I wish to point out to the Government the unwisdom of their persisting in this most inhuman, uncivilized and unbecoming action.

“ Yesterday, Sir, I had the privilege of attending the Khilafat Conference at Mayavaram and they have passed a resolution. I was moved by the feelings of the people who attended the conference on this Andaman question. They have sent up a resolution to the Government and to the President of the Council and perhaps the post was not here expeditious enough to bring it in time. They have appealed to all classes of people, Hindus and Muhammalans alike, and I echo this prayer to say that this great injustice to a most deserving race is not allowed to be perpetrated.”

The House then adjourned till to-morrow at 11 a.m. the next day.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

APPENDIX I.

[Vide answer to question No. 340 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 24th August 1925, page 565 supra.]

Letter from Mr. T. ROBERTS, Balmatta, Kankannady P.O., South Kanara, Mangalore, to the Chief Secretary to the Government of Madras, dated Mangalore, the 25th April 1925.

Referring to the proceedings in the Legislative Council of 17th March 1925 as to the assignment of lands to ex-military men on a motion made by Mr. J. A. Saldanha, M.L.C. I beg to make this representation on behalf of the ex-soldiers and their families in this district.

I have been the Honorary Correspondent and a Member of the District Soldiers' Committee here since its formation about two years ago and feel it my duty to bring to the notice of Government what I have experienced in the course of my humble efforts to find relief to the ex-army men and their families in need.

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2 When the Committee was formed, I received from the Collector a list of over 100 ex-army men in and near this town and I saw over fifty men and women (widows and widowed mothers of deceased and absent ex-soldiers) not mentioned in the above list. I believe there are as many more throughout the district. The majority of these war-service men are Christians (Catholics and Protestants).

3 The objects of the Committee are—

- (1) To find work for the unemployed ex-soldiers
- (2) To secure educational facilities to their children.
- (3) To secure land for their settlement.
- (4) To give pecuniary aid to the widows and orphans of those who died after the war, as they do not get any pension and are in distress.

4. To secure employment, I saw the managers of firms and factories and pleaded for war-service men, but except a Parsee and one or two European firms none showed any willingness to employ them. A few men were employed temporarily now and then in public offices but were sent away when permanent vacancies occurred. These men after repeated petitions and attempts which ended in nothing left the district and went away and their families are in distress.

5 It was not an easy thing to secure educational concessions. The school authorities levied fees from the children of war-service men even when the latter possessed the necessary certificates. I had to see them and explain matters. Then they pleaded Government orders and I had to ask them to address the Education Act's duties, and sometimes I myself had to write to the Collector. Experiencing such difficulties, I do not think that all who deserve the concessions have applied for the same. In such cases as have come to my knowledge I have done all I could.

6 There were many applications for land from ex-service men. Some got small plots but many were refused on the ground that no land was available or the lands applied for were reserved for depressed classes and other purposes. In some cases rocky hill slopes in distant places were pointed out where man or beast cannot live. Seeing that a large portion of Chamlingade land in Ullal village was reserved for depressed classes, I suggested to the Collector that a similar area out of it may be set apart for ex-army men who are homeless and my request was supported by the Revenue Divisional Officer, but the reply was not favourable. Specific questions were asked in the Legislative Council about the treatment of war-service men in the matter of finding employment and getting land, and the answer was "Government have no information." The information could have been obtained from the Collector. There are several ex-soldiers and their widows who have not yet got a bit of land, although they applied for it more than once. Unless the Shanbhog (Karnam) is pleased there is no hope of the poor ex-soldiers getting anything. When an application goes to the village official the stereotyped reply is "No land is available or the land applied for is reserved." But the relations or custom of officials get lands without difficulty; they even knowingly encroach and build upon and enclose land applied for by war-service men, and there is none to question them.

7. I will quote one or two instances to show what acute difficulty and disappointment are experienced by ex-army men to get anything even from officials who are expected or supposed to be sympathetic to war-service men. A certain man who got a bit of ground near the Ullal Railway station nearly

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two years ago tried several times to get possession of it, but the Shambhog disappointed him. The man was at the same time looking for an employment in this district, but having failed he left the district and went to North India where he got work. From there he wrote to me about the Shambhog's conduct and asked me to get the plot marked out and shown to a relation of his. I spoke to the Tahsildar and also wrote on 25th October 1924 when he directed the Shambhog to mark the plot on a certain day (1st November 1924) in my presence. But the Shambhog did not turn up nor had he a word of excuse. So I wrote to the Tahsildar again on 8th November 1924 and a reminder on 12th January 1925. After about a month the Shambhog saw me and arranged to meet on 10th February 1925. On that day he did not complete the business on the ground that his man, Ugrani, was sick and up till now the thing is not finished and the grantee is paying assessment every year without being able to make any improvement on the land!

Two of my sons were in war-service and how they were treated is shown in a representation, dated 10th July 1924 addressed by me to the Legislative Assembly and Council and copies of it were sent to the Members of Government also and the matter is still before them. My eldest son who had his own work before the war finding it very difficult to find work after the war applied for a few acres of land to settle as a farmer. He tried for four years with five Collectors but in vain and he passed away last year in a strange country. My third son was also in the war-service as a medical officer. Two years ago he got a small plot of Government waste ground in Koti kar village. Adjoining it is a road margin of about 18 cents. He applied for it in line with the road margin already granted to another war-service medical officer, but has not yet got it, although during the last two years he has been going from post to pillar and from pillar to post in order to get it. The Local Fund Department recommended its grant. The Tahsildar would not grant it. On appeal the Divisional Officer recommended but the Collector refused. I then applied to the District Board President on behalf of my son. The matter was again referred to the Local Fund Engineering Department and after a long delay the plot was granted on yearly lease and the Local Fund Overseer collected the lease amount three months ago, but nothing has been done yet to mark the plot and put in possession. In the meantime a portion of this plot has been occupied, built upon and enclosed by a cast-man or relation of an official and there was none to object to it, though the encroachment was brought to the notice of the Authorities. But the Local Fund Overseer's direction to me is not to occupy the land until the lease is executed!! This may take some months more. Such is the consideration shown to war-service men who have endured untold hardships and misery.

I can mention more instances, but think it unnecessary. I fail to see any concession in the grant of small plots to ex-service men. The ordinary assessment is levied; even a few pias are collected as seigniorage on grass. The plot cannot be alienated for ten years and is liable to be resumed if not improved within a year. Ordinary darkhast is free from such restrictions.

8. As regards securing pecuniary aid for the relief of the widows and orphans of war-service men in distress, my experience has not been less discouraging. Since about a year and a half I have been going from house to house for contributions and very often I had to come back utterly disappointed; even wealthy men have turned me back. A Municipal Councillor subscribed Rs. 2 in December last, but has not yet paid although seen over

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a dozen times! I have sadly realized the Indian's never-ending promise "I will pay tomorrow". The apathy of the public in general and officials in particular has been a revelation to me. Some seem to think that the war-service men are a nuisance, while others think and say that the war-service men should be taken care of by the Government and English people for whom they fought and some Europeans say that Indians should take care of their widows and orphans. But for the generality of the majority of the Englishmen here (who are only a few in number) my collection would have been very poor.

Some months back I brought to the notice of the Collector some cases of destitute sickly widows (with children) who desire prompt help from Government or some big fund such as India and Burma Relief Fund, the Malabar District Soldiers' Board which appears to have been disbanded is disposal; but nothing is heard as yet.

Two or three of these widows hold His Majesty the King's Memorial certificate in which it is enjoined that those who have sacrificed should not forget those who at the call of King and Country offered and gave their life. I see from the "Fauj Akbar" (Army News) that service men and their families in North India are treated very liberally. Some were paid Rs. 200 and Rs. 200 to clear their debts, the Government expenses etc. Here none get more than Rs. 20 (starvation only) during the year although there are men who lost everything by fire and flood etc. In the Lower Sava valley 75,000 (seventy-five thousand) acres have been reserved for war-service men vide "Fauj Akbar" of 1st November 1924, 13th December 1924, 7th March 1925, 14th March 1925, etc. I wish 100 acres were reserved for our men here. On the other hand hundreds of acres have been set apart for depressed classes which may not be fertile for another century. The war-service men in their present condition (poor, homeless and hopeless) may be rightly treated as a section of the depressed classes and a good portion of the above-said reserve be allotted to them. What I have represented here is corroborated by an article headed "Ex-Service Men" by "Justice" in the *Madras Mail* of 6th March 1925.

9. The war-service men and their widows do not often see me as often as they used to do before. When I meet them and tell them that they can come and tell me if they are in need of anything, their usual reply is "Why to trouble you, Sir, again and again when the Government people are mocking at our misery; how many petitions how often to go to talk kachari and to the Shanbhogue or here and there and waste our time? These touching words of war-service men who at one time risked all and some have lost all are ringing in my ears always. What they say has been my experience also and myself being in indifferent health and despairing of being able to do anything substantial for them, I resigned my place on the District Soldiers' Committee. I accepted it (with hesitation owing to my age) at the desire of a Divisional Officer who was transferred afterwards. Three officers came after that but I got no help whatever from them. Being without any help even for out-door work (taking message, etc.) and the address of many war-service men not being given in the list sent to me I could not see all of them (though I wished very much to do so) as they are widely scattered in and out of the town of Mangalore. I know that many ex-army men and their families are still suffering in silence and their wants and grievances will not be known until they are brought under the care of a special officer like

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the Protector of Depressed Classes throughout the Presidency. The impression of the war-service men is that the present method is simply a makeshift with no real sympathy in it.

"Much was promised but little is done".

MADRAS SOLDIERS' BOARD.

Memorandum No. 1182-1, dated 22nd June 1925.

[District Soldiers' Committee, South Kanara -Complaint against the working of Mr. F. Roberts' letter, dated 25th April 1925.]

The Madras Soldiers' Board has enquired into the allegations against the working of the South Kanara District Soldiers' Committee made by Mr. Roberts and it finds that except in the matter of grant of educational concessions to children of ex-army men the charges are either too vague to be further investigated or are based on incorrect information.

Educational concessions.

Instances might have arisen in which difficulty was experienced by children of ex-army men in obtaining educational concessions available to them. With a view to making these concessions more widely known the Board has recently printed and supplied to the Presidents of District Soldiers' Committees vernacular translations of the orders for distribution to Honorary Correspondents and for advertisement on the boards in all Treasury and Taluk offices. The President District Soldiers' Committee South Kanara, has also undertaken their republication in the district.

The Board notes that the South Kanara Committee was amongst first to raise funds by private subscription to afford relief to the dependents of ex-army men who were in indigent circumstances. The Committee has also endeavoured to do its best in other directions as well, such as assignment of lands and provision of employment to ex-army men.

Some of the accusations made by Mr. Roberts date back to the time when he was himself an Honorary Correspondent of the Committee and the Board is surprised to note that he himself failed in his duty to bring the matters to the notice of the Committee.

As regards the appointment of a Special Officer suggested by Mr. Roberts, the Board is not convinced that it is either justifiable or necessary.

E. M. GAWNE,
Secretary

To Mr. P. Roberts, Balmatta, Karkunady P.O.
Copy to the Collector of South Kanara

[24th August 1925]

APPENDIX II.

[Vide answer to question No. 343 asked by Rao Bibadur Cruz Fernandez at the meeting of the Legislative Council held on the 24th August 1925, page 567 *et passim*.]

G.O. Mis. No. 892, P.H., dated 27th April 1925.

READ—the following paper:—

From the Secretary, United Free Church of Scotland Mission,
Rayapetam dated 31st March 1925, No. T. 551.

Order—Mis. No. 892, P.H., dated 27th April 1925.

The Government are pleased to transfer the management of the Lady Willingdon Laper Settlement at Tirumali to the authorities of the United Free Church of Scotland Mission. The terms of management of the Settlement will be as follows.

2. The Mission shall supply the staff, both European as well as subordinate, required for the settlement and the Government will contribute at the following rates:

European staff.—

(a) Doctor, male, an inclusive salary of Rs. 575 per mensem.

(b) Matron—an inclusive salary of Rs. 175 per mensem.

(c) Nurse—if and when a European nurse is employed, an inclusive salary of Rs. 325 per mensem.

(d) Besides the monthly payments above referred to, second-class passages for the male doctor and his wife and the matron will be allowed. An outfit allowance of £70 for the male doctor and his wife and £72 for the matron will also be allowed. If and when a European nurse is appointed, she will also be allowed the outfit passage and outfit as for the matron.

(e) If more than one European lady worker is employed with the sanction of the Government by the Mission at any time, the contribution on account of each of them will be the same as for the matron.

(f) The Government will also contribute at the above rates during the preliminary period of training not exceeding nine months for the doctor and six months each for the matron and a nurse when recruited.

(g) It must be clearly understood that the above rates and allowances cover all charges including leave allowances, pensionary contributions and passages of officers going on leave and the Mission accept all other liabilities and risks on account of the European staff without any claim for additional contribution from the Government.

3. These arrangements are to be in force for a term of five years provided that the Government is at liberty to terminate the agreement at any time after six months' notice in writing.

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4 *Subordinate staff*.—A lump sum will be fixed as the maximum expenditure on—

- (1) Subordinate medical nursing and clerical staff; and
- (2) menial staff.

The Mission will have discretion to fix the number and pay of the staff as it thinks fit. The liability of the Government will be limited to the actual expenditure subject to the prescribed maxima. The maximum for the subordinate medical, nursing and clerical staff is fixed at Rs. 7,710 a year and the maximum for the menial staff is fixed at Rs. 1,860 a year. These maxima have been worked out on the basis of the statement attached. The details entered in this statement are not to be regarded as binding on the Mission but are adopted only for the purpose of fixing a suitable maximum. The Mission will also be at liberty to employ inmates of the Settlement on such work and wages as may be found suitable provided the maximum expenditure on the menial staff is not thereby exceeded.

5. *Drugs, medicines and contingencies*.—The following inclusive rates are fixed:—

(i) Patients	{	Anglo-Indians	Rs. 22-8-0	per head	per
		Indians	Rs. 10	per head	per mensem.
(ii) Untaunted children	{	Over 8 years of age	Rs. 9	do.	do.
		Under 8 years	Rs. 6	do.	do.

In exceptional circumstances, e.g. famine, the Mission will be at liberty with the consent of the Government to utilize savings, if any, under the head for expenditure on salaries of staff.

6. In other respects, the terms as detailed in the draft agreement forwarded with the Rev. J. H. Maclean's letter, dated 9th April 1924, are accepted.

7. The Surgeon-General is requested to report urgently, in consultation with the Mission, the date on which the transfer can be conveniently effected.

8. The Surgeon-General is also requested to obtain and submit to the Government a formal deed of agreement embodying the above terms.

9. The expenditure will be met from the provision in the current year's budget under 32-b i. Presidency hospitals, for the Leprosy Hospital, Tondiarpet. The Surgeon-General is requested to submit a reappropriation statement through the Accountant-General transferring the above provision to the head 32-b, v. Grants to private institutions.

(By order of the Government, Ministry of Local Self-Government)

C. B. COFFRELL,
Secretary to Government

To the Rev. John Stewart, M.A., Secretary, United Free Church of Scotland Mission, Rayapuram.
 „ Surgeon-General.
 „ Accountant-General (through the Finance Department).
 „ Finance Department

[24th August 1925]

APPENDIX.

Statement referred to in paragraph 4 of G.O. M.S. No. 892, P.II, dated 27th April 1925.

	Pay per mensem	Contribution to Provident Fund at one anna in the rupee per mensem
I. Subordinate medical, nursing and clerical staff -		
	RS.	RS. A.
Steward and storekeeper	60	3 12
First writer	40	2 8
Second writer	30	1 11
Two Sub-Assistant Surgeons on Rs. 100.	200	12 8
Two compounders on Rs. 40	80	5 0
One Indian Superintendent and Agriculturist.	70	4 6
One matron for unattached school ..	20	1 1
Three female nurses (at 25 annas ..	75	4 11
One teacher for unattached school ..	30	1 11
Total ..	605 plus	37 13
	612 13 or	
	Rs 7,713 12 a year	
	or	
	Rs 7,710 monthly	

II. Menial staff -

One caretaker of buildings, library and office.	30
Two male ward attendants (Rs. 15 each).	30
Three peons on Rs. 12 per mensem ..	36
Six lacars on Rs. 12 per mensem ..	72
Two cooks for hospital and school on Rs. 17 per mensem	34
One tailor	20
Three handymen on Rs. 13 per men- sem.	39
Two gardeners on Rs. 12 per mensem.	24
Ten scavengers on Rs. 12 per mensem.	120
Total ...	405 or Rs. 4,860 a year.

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APPENDIX III.

[Vide answer to question No. 344 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 24th August 1925, page 565 supra.]

G.O. No. 936 W., dated 4th July 1925.

In G.O. No. 450 W., dated 8th May 1923, the Government approved a scheme of works estimated to cost approximately Rs. 3 lakhs, for the establishment of a Leprosy settlement at Tirumani, Chingleput district. The scheme has since undergone some modifications and several additional works have also been reported to be necessary to complete the Settlement on lines similar to settlements elsewhere (e.g., at Dichpalli and Purulia). A consolidated list of

- (a) works estimates for which have so far been approved by Government;
- (b) works estimates for which are still under consideration; and
- (c) works which are considered unnecessary or are proposed to be deferred.

has accordingly been prepared and is annexed to these proceedings.

(By order of the Government, Ministry of Public Works)

F. B. EVANS,
Secretary to Government.

To the Chief Engineer (Roads and L. Works)
 .. Accountant General, Madras, through Finance Department
 .. Local Self-Government (P. II) Department.
 .. Finance Department

Annexure to G.O. No. 936 W., dated 4th July 1925.

THE LADY WILLINGDON LEPROSY SETTLEMENT, TIRUMANI.

CONSOLIDATED AND REVISED SCHEME OF WORKS.

Name of work	Cost.
(a) Works for which estimates have so far been approved by the Government.	RS.
1. Administration block	12,630
2. Medical block	12,860
3. Two observation wards	15,120
4. Inoculation and dispensary block	13,100
5. Recreation and library block	12,680
6. Quarters for married leprosy	34,880
7. Compound walls and wire fencing	14,000
8. Quarters for two sub-assistant surgeons	8,280
9. Opening ceremony	1,000
10. Water-supply—Chain Helice pumps to wells	11,912
11. Shops	2,940

[24th August 1925]

Name of work.	Cost.
<i>(a) Works for which estimates have so far been approved by the Government—cont.</i>	
	RS.
12. Notice board	150
13. Roads and drains	18,300
14. School for boys and girls	6,410
15. Superintendent's garage	900
16. Isolation wards for males and females	1,970
17. Cattle shed	820
18. Hostel for clean children with provision for Indian matron, kitchen, store, dining-room, wash, worksheds.	15,560
19. Converting the south-west observation ward into tailor's shop as well as quarters for clean staff ...	230
20. Hindu temple	1,900
21. Mosque	1,630
22. Seven bathing enclosures	3,610
23. Superintendent's quarters	28,020
24. Seven latrines	1,200
25. Incinerator	500
26. Latrines for isolation wards	470
27. Superintendent's godown	1,660
28. R.M.O.'s godown	1,060
29. Do kitchen	1,010
30. In-patients casualty hospital	15,000
31. Kitchen for do.	1,010
32. Latrine for do.	600
33. Wells	20,900
34. Dhoby khana	1,130
35. Dwelling blocks for unmarried lepers	1,21,765
36. Bungalow for matron in charge of female lepers and hospital nurse	6,500
37. Kitchen for do. do.	1,040
38. Tank	3,750
39. Mortuary	1,400
<i>(b) Works for which estimates have yet to be sanctioned by the Government and which were newly proposed.</i>	
40. R.M.O.'s bungalow ... ..	..
41. Garage	900
42. Conversion of the observation ward north-east block into ward for children under observation and construction of a new kitchen for this ward	1,500
43. Two additional latrines for the observation wards .. ..	..
<i>(c) Works which are to be deferred or are considered not necessary.</i>	
44. Piped water-supply from the service reservoir of the Chingleput water works	59,000
45. Church ... ..	..
46. Electric power-house and lighting	82,271
47. Quarters for masalchi and cook	600

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APPENDIX IV

[Vide answer to question No. 345 asked by Mr. R. Veerian at the meeting of the Legislative Council held on the 24th August 1925, page 569 supra]

G.O. No. 1125, P.H., dated 6th August 1924.

READ the following papers.

G.O. No. 832, P.H., dated 23rd May 1924.

From the Director of Public Health, dated 27th March 1924,
No. 5343, P.H.

From the Surgeon-General, dated 28th May 1924, No. 1040-G.

Order No. 1125, P.H., dated 6th August 1924.

The Government approve the proposals of the Director of Public Health for ratifying the directions for the use of vaccine lymph appended to G.O. No. 832, P.H., of 23rd May 1923, subject to the modifications suggested by the Surgeon-General in his letter No. 1040-G, dated 28th May 1924. The action of the Director of Public Health in having deleted the last two sentences of paragraph 15 of the 'Instructions for the working of vaccination in non-municipal areas' appended to the Government Order is also approved.

A copy of the directions as approved by the Government is appended to the order.

(By order of the Government Minister of Local Self-Government,

P. L. MOORE,
Acting Secretary to Government.

To the Director of Public Health.
" Director, King Institute, Guindy
" Surgeon-General.
" Registrar-General of Panchayats.
" Accountant-General.
" Revenue Department.
" Superintendent, Government Press (for Gazette)

APPENDIX

Revised directions for using vaccine lymph.

1. Supplies of vaccination lymph to vaccinators in the several districts will be made from the King Institute, Guindy, four times a month on the dates noted against each group of districts—

1) Nilgiris	} 1st, 7th, 17th and 23rd.	2) Ganjam	} 2nd, 8th, 18th and 24th.
Malabar		Godavari	
South		Guntur	
Kanara		Ganjam Hill tracts	
Coimbatore		Vizaga- patam	
Salem			

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(3) Trichinopoly Tanjore South Arcot Tinnevely Madura	}	3rd, 9th, 19th and 25th.	}	(5) North Arcot (Chittoor Chingleput Ramanad Kistna district.	}	5th, 11th, 21st and 27th.
(4) Kurnool Anantapur Bilari Cuddapah Nellore	}	4th, 10th, 20th and 26th.	}	(6) Municipali- ties. Jails Military	}	6th, 12th, 22nd and 28th.

Under this arrangement it will be possible for vaccinators to wait for their second supply and then use up two supplies together. This might not be detected as District Health Inspectors are not always in touch with their vaccinators. As there still is a tendency to delay in using the vaccine as promptly as possible, vaccinators should be ordered to submit normal registers of vaccination immediately after finishing their supply. In all cases of delay there should be a severe penalty as it is very important that all supply of lymph should be used promptly. District Health Officers will be expected to take all steps to ensure that this is being done by the vaccinators in their districts.

2. All indents for vaccine lymph should be in multiples of 20 doses and ordinarily the issue of lymph from the K. I. Institute will be in tubes containing 20 doses each. In special cases tubes containing 10 doses will also be issued, but this smaller tube should not be usually necessary if vaccinators exercise due care.

3. The vaccine is sent out from the K. I. Institute of Preventive Medicine, Guindy, in glass tubes.

These tubes are labelled to show—

- (a) the lymph number;
- (b) the number of cases which can be vaccinated with the contents;
- (c) the date of despatch; and
- (d) the period beyond which the vaccine must not be used.

This period is fixed as a maximum for inaccessible places, but to ensure good results every effort shall be made to use the vaccine expeditiously.

4. *General instructions*—(1) A vaccinator should provide himself with the following articles (see Fig. 1*. The lettering is the same here as in the picture):—

- (a) One vaccine-carrier.
- (b) Two rotary lancets in a wooden box
- (c) Absorbent wool in sufficient quantity.
- (d) One wooden holder of vaccine vials and instruments.
- (e) One brass spirit lamp.
- (f) The necessary quantity of methylated spirit.
- (g) One match box
- (h) Two towels.
- (i) One cake of sunlight soap.

* Not printed.

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- (j) A canvas bag with shoulder-strap to hold the above.
- (k) A bench, stool or a sitting plank to arrange the articles on.
- (l) Clean water in a clean (brass) wide-mouthed vessel.

N.B.—The last two items should be obtained locally.

(2) All apparatus should be kept in a good state of repair and should be inspected periodically by the Health Inspectors, who should report any deficiencies to the District Health Officer with a view to getting the necessary renewals. The lancets should be kept polished and its teeth should be sharp. It should be sent to the office of the Director of Public Health if any repairs are required.

(3) Vaccinations should be performed in a clean and shady place such as the village chavadi, or in the shade of a thick tree.

(4) The children to be vaccinated should be collected before commencing the vaccinations whenever possible.

(5) Heat quickly destroys the potency of vaccine lymph; it should therefore be kept as cool as possible, night and day.

Vaccinators shall be at the appointed places on the due dates in order to take delivery of their supplies of lymph from the postal authorities immediately on arrival. The vaccine tubes shall at once be placed in a cooled vaccine-carrier.

The carrier being made of materials (pith and glass) which are bad conductors of heat, gives protection from heat to the vaccine. When vaccinators are on the march additional protection can be given by rolling clean clothing round the carrier.

It must be remembered that, as the carrier is designed to keep heat out, it will, if once allowed to get warm, keep heat in just as efficiently and thus completely defeat the end aimed at.

At night time, therefore, the carriers and their contents should be cooled down as thoroughly as circumstances permit. The carrier should be opened and the tubes of vaccine removed. A little clean water should then be poured into the carrier and the latter hung up still open, in as good a draught of air as possible. The tubes of vaccine should be rolled in a small pad of clean lint or rag and placed in a shallow saucer of water in a good draught of air.

These precautions will be specially effective in hot dry places where the day temperatures are high. The greatest protection from the effects of heat, however, will be obtained by using the vaccine as quickly as possible.

5. Preparation before vaccination.—(1) After the children have been collected, the vaccinator should arrange his things on a bench, stool or sitting plank placed in the shade (Fig. 1 *).

(2) He should then wash his hands thoroughly with soap and water and dry them on a clean towel.

(3) He should light his spirit lamp, and sterilize the toothed and scoop end of the lancets in the flame, and leave them to cool on the wooden holder, without bringing the sterilized portions of the instruments in contact with the wood. The two lancets should be used alternately and should be sterilized and cooled for each child.

(4) After all arrangements have been made the vial of vaccine should be taken out of the vaccine-carrier and fixed in the socket made for the purpose in the wooden holder.

* Not printed.

24th August 1925]

APPENDIX III.

[Vide answer to question No. 344 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 24th August 1925, page 568 supra.]

G.O. No. 936 W., dated 4th July 1925.

In G.O. No. 450 W., dated 8th May 1923, the Government approved a scheme of works estimated to cost approximately Rs. 3 lakhs, for the establishment of a Leper settlement at Tirumani, Chingleput district. The scheme has since undergone some modifications, and several additional works have also been reported to be necessary to complete the Settlement on lines similar to settlements elsewhere (e.g., at Dichpalli and Purulia). A consolidated list of

- (a) works estimates for which have so far been approved by Government;
- (b) works estimates for which are still under consideration; and
- (c) works which are considered unnecessary or are proposed to be deferred

has accordingly been prepared and is annexed to these proceedings.

(By order of the Government, Ministry of Public Works)

F. B. EVANS,
Secretary to Government.

To the Chief Engineer (Roads and Buildings)
 „ Accountant-General, Madras, through Finance Department.
 „ Local Self-Government (P.H.) Department.
 „ Finance Department.

Annexure to G.O. No. 936 W., dated 4th July 1925.

THE LADY WILLINGDON LEPER SETTLEMENT, TIRUMANI.

CONSOLIDATED AND REVISED SCHEME OF WORKS.

Name of work.	Cost.
(a) Works for which estimates have so far been approved by the Government.	RS.
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2. Medical block	12,860
3. Two observation wards	15,120
4. Inoculation and dispensary block	13,100
5. Recreation and library block	12,680
6. Quarters for married lepers	34,880
7. Compound walls and wire fencing	14,000
8. Quarters for two sub-assistant surgeons	8,280
9. Opening ceremony	1,000
10. Water-supply—Chain Helice pumps to wells	11,912
11. Shops	2,940

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- (j) A canvas bag with shoulder-strap to hold the above.
- (k) A bench, stool or a sitting plank to arrange the articles on.
- (l) Clean water in a clean (brass) wide-mouthed vessel.

N.B.—The last two items should be obtained locally.

(2) All apparatus should be kept in a good state of repair and should be inspected periodically by the Health Inspectors, who should report any deficiencies to the District Health Officer with a view to getting the necessary renewals. The lancets should be kept polished and its teeth should be sharp. It should be sent to the office of the Director of Public Health if any repairs are required.

(3) Vaccinations should be performed in a clean and shady place such as the village chavadi, or in the shade of a thick tree.

(4) The children to be vaccinated should be collected before commencing the vaccinations whenever possible.

(5) Heat quickly destroys the potency of vaccine lymph; it should therefore be kept as cool as possible, night and day.

Vaccinators shall be at the appointed places on the due dates in order to take delivery of their supplies of lymph from the postal authorities immediately on arrival. The vaccine tubes shall at once be placed in a cooled vaccine-carrier.

The carrier being made of materials (pith and glass) which are bad conductors of heat, gives protection from heat to the vaccine. When vaccinators are on the march additional protection can be given by rolling clean clothing round the carrier.

It must be remembered that, as the carrier is designed to keep heat out, it will, if once allowed to get warm, keep heat in just as efficiently and thus completely defeat the end aimed at.

At night time, therefore, the carriers and their contents should be cooled down as thoroughly as circumstances permit. The carrier should be opened and the tubes of vaccine removed. A little clean water should then be poured into the carrier and the latter hung up still open, in as good a draught of air as possible. The tubes of vaccine should be rolled in a small pad of clean lint or rag and placed in a shallow saucer of water in a good draught of air.

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(2) He should then wash his hands thoroughly with soap and water and dry them on a clean towel.

(3) He should light his spirit lamp, and sterilize the toothed and scoop end of the lancets in the flame, and leave them to cool on the wooden holder, without bringing the sterilized portions of the instruments in contact with the wood. The two lancets should be used alternately and should be sterilized and cooled for each child.

(4) After all arrangements have been made the vial of vaccine should be taken out of the vaccine-carrier and fixed in the socket made for the purpose in the wooden holder.

* Not printed.

